



City Council Staff Report

Date: January 13, 2016 NEW BUSINESS

Subject: ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR THE VISTA CHINO LOW-WATER CROSSING BRIDGE REPLACEMENT AT WHITEWATER RIVER PROJECT, CITY PROJECT NO. 10-10, FEDERAL AID PROJECT NO. NBIL (513)

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

SUMMARY

The environmental review process for the Vista Chino Low-Water Crossing Bridge Replacement, City Project No. 10-10, Federal Aid Project No. NBIL (513), (the "Project"), has been completed pursuant to the California Environmental Quality Act ("CEQA"). The final environmental document is ready for review and approval by the City Council, including adoption of the Mitigated Negative Declaration. Completion of this process allows the City to move forward with final design, right-of-way acquisition, and ultimately construction of the Project. During the public review process, there were no requests for a Public Hearing; therefore, none is required in the City's approval of the final environmental document and adoption of the Mitigated Negative Declaration.

RECOMMENDATION:

Adopt Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AND ORDERING THE FILING OF A MITIGATED NEGATIVE DECLARATION FOR THE VISTA CHINO LOW-WATER CROSSING BRIDGE REPLACEMENT AT WHITEWATER RIVER PROJECT, CITY PROJECT NO. 10-10, FEDERAL AID PROJECT NO. NBIL (513)."

BACKGROUND:

The City has three "at-grade" crossings of the Whitewater River on Indian Canyon Dr., Gene Autry Trail, and Vista Chino. Anytime there is a storm event, the City is generally required to close one, two or all three of these critical arterials into and out of the City, severely disrupting access in the western Coachella Valley, especially emergency

access to Desert Regional Medical Center. Complete road closures of Vista Chino due to flooding in the winter of December 2004 and January 2005 resulted in severe disruption of traffic circulation into and out of the City. The summer storms in July and August 2008 also forced the City to close Vista Chino for several days. Subsequent storm events, and high winds, have forced repeated closures since 2008, reinforcing the importance of finding funds to construct all-weather bridge crossings.

The Coachella Valley Association of Governments (“CVAG”) 2010 Update to the Transportation Project Prioritization Study (“TPPS”) identifies the estimated costs to construct all-weather bridge crossings in Palm Springs as follows:

Indian Canyon Drive:	\$166,270,000
Gene Autry Trail:	\$225,682,800
Vista Chino:	\$68,638,500

As the cost implications to the City and CVAG are in excess of \$450 Million to construct these all-weather bridge crossings, City staff primarily focused on securing federal-aid funding for construction of a new bridge on Vista Chino, which has the shortest length (1/2 mile) across the Whitewater River. The repeated closures due to flooding and wind storms prompted the City’s Public Works & Engineering Department to pursue federal-aid funding from the state of California Department of Transportation (“Caltrans”) through its Highway Bridge Program (“HBP”) to design and construct a new bridge on Vista Chino across the Whitewater River. The federally funded HBP reimburses 88.53% of the total costs of the Project, requiring the City to provide 11.47% local funding.

On May 20, 2011, the City successfully received an initial award of \$1 Million (\$885,300 in federal-aid funds, requiring \$114,700 local funding) from Caltrans to initiate the Project Approval/Environmental Documentation (“PA/ED”) Phase of the Project, which was later increased at the City’s request to \$1,690,000 (\$1,496,157 federal-aid funds and \$193,843 local funds).

The City initiated Project Approval/Environmental Document (PA/ED) Phase of this project in January of 2012 to provide 30% design of the Project. The PA/ED and associated engineering serves as the basis for the subject CEQA review.

On January 18, 2012, the City Council approved a professional services agreement in the amount of \$1,438,484 with CNS Engineers, Inc., (“CNS”), to complete the PA/ED Phase of the Project. Subsequently, CNS has prepared various technical studies evaluating the Project, including preparation of the environmental documents that are the subject of City Council’s review.

STAFF ANALYSIS:

A comprehensive analysis and review of potential environmental impacts associated with construction of the Project has been completed pursuant to CEQA. The City is the CEQA Lead Agency for the Project, with the City of Cathedral City serving as a Responsible Agency. A draft Initial Study/Mitigated Negative Declaration (IS/MND) and

associated technical studies have been prepared, and a 30-day public review period of the IS/MND was provided, in accordance with the CEQA Guidelines. The IS/MND is ready for review, approval, and adoption by the City Council.

In accordance with Section 15202 of the CEQA Guidelines relating to review and evaluation of environmental documents, "*CEQA does not require formal hearings at any stage of the environmental review process,*" and public comments may be restricted to written communication. However, as part of the City's normal procedures, to the extent a public comment was received requesting that a formal public hearing be provided, consideration of this action would be scheduled as a formal Public Hearing before the City Council. During the public review process, there were no requests for a public hearing; therefore, the City Council may consider approval of the Final IS/MND without the need for a public hearing.

The City Council's approval of the IS/MND allows the City to move forward with final design, right-of-way acquisition, utility relocation, and ultimately, construction of the Project.

Project Description

The Project is located on Vista Chino between Gene Autry Trail in Palm Springs and Carmela Drive in Cathedral City. The scope of the Project includes the replacement of the existing 4-lane roadway, an "at grade" low-water crossing through the Whitewater River (susceptible to closure during wind storms and flooding) with a new elevated "all-weather" bridge. The purpose of the Project is to improve traffic circulation and emergency access within Palm Springs and Cathedral City during storm events.

A vicinity map showing the location of the Project is included as **Attachment 1**.

Exhibits showing the Project are included as **Figure 1** and **Figure 2** on the following pages.



Figure 1



Figure 2

The new bridge structure is proposed at 94 feet wide, consisting of a 66-foot wide roadway with four 12-foot wide lanes (two lanes in each direction) and 4-foot wide shoulders separated by a ten-foot wide painted median and a combined six-foot wide sidewalk and five-foot wide bike lane along both sides of the bridge that would be separated from vehicular traffic by a concrete barrier. A cross-section of the proposed bridge structure is included as **Figure 3**.

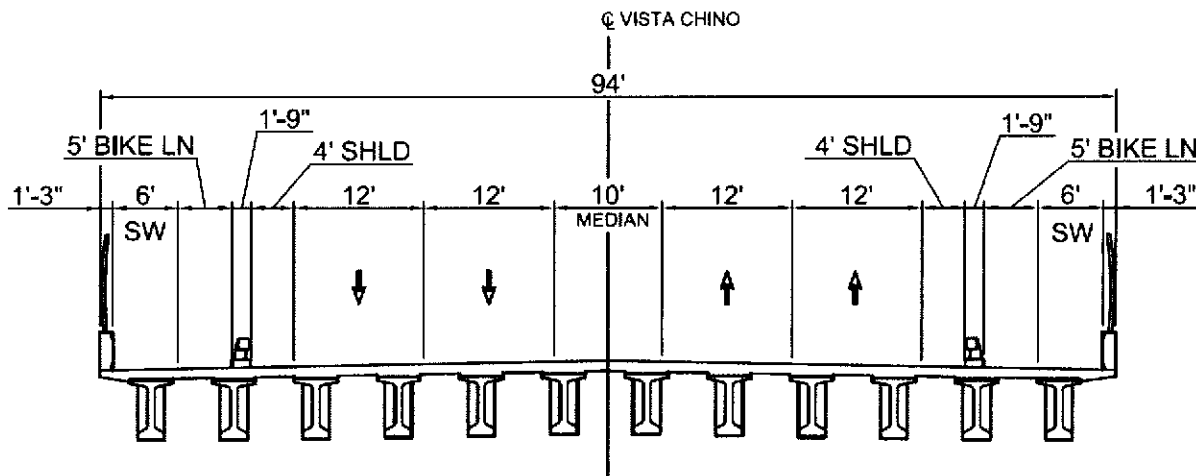


Figure 3

The bridge will span approximately 2,310 feet of the existing Vista Chino crossing at the Whitewater River, running between two existing concrete-lined flood control levees on the west and east river banks. The levee on the east bank consists of a buried concrete-slope cutoff wall. The proposed bridge structure would be a cast-in-place pre-stressed concrete box girder supported on multiple-column bents. The bridge cross-section would be consistent with the City's cross-section for a Major Thoroughfare, which is the current classification of Vista Chino in the City's Circulation Element of the General Plan. The new hardscape with roadway and bridge improvements would be extended from approximately the intersection of Clubhouse View Drive to a point 450 feet east of the east levee. In addition, there would be striping and signage work beyond the hardscape limit from Gene Autry Trail to Carmela Drive. Therefore, total project limits extend approximately 4,950 feet.

The Project will also require relocation of the following utilities:

- An underground Southern California Edison (SCE) electric distribution line will either be relocated into the proposed bridge or onto the transmission lines south of the bridge;
- A Sprint fiber optic line will be relocated into the proposed bridge;
- A Verizon underground line will be relocated into the proposed bridge;
- A Time Warner overhead cable will be relocated into the proposed bridge;
- The existing SCE 115-kilovolt (kV) transmission poles located south of the existing roadway will be relocated approximately 80 feet south of the proposed right-of-way. A new 40-foot wide SCE easement will be located south of the proposed bridge

structure and at the eastern end of the project limits to accommodate relocation of SCE's electrical overhead transmission lines and poles.

- Five of SCE's distribution overhead lines and poles located north of Vista Chino will be removed and either relocated into the proposed bridge or to the south side of Vista Chino, on the relocated SCE 115 kV transmission poles.

Relocation of the high voltage transmission overhead lines will comply with California Public Utilities Commission General Order 95, which establishes rules and regulations for the overhead line design, construction and maintenance. The height of the relocated transmission power poles will be adjusted to accommodate the raised roadbed and the addition of distributions lines. Coordination with the utility owners will be made to determine prior rights, relocation responsibility, right-of-way easements and maintenance access.

To accommodate the new bridge, temporary construction easements (TCEs) are anticipated to be located on parcels along both sides of Vista Chino, both east and west of the Whitewater River, as follows:

- North of Vista Chino: Assessor's Parcel Numbers (APNs) 677040030, 677040031, 677030030, 677030031, 677183018, 677183026, 677183027, 677183039, and 677183040.
- South of Vista Chino: APNs 677250025, 6772500055, 677250057, 677250059, 677250065, 675040004, 675370016, and 67537001.

Three previously permitted legal billboards located north of Vista Chino will lose visibility as a result of the new bridge and will be relocated or raised as part of the Project. A TCE and permanent easement on Indian lands will be processed through the Bureau of Indian Affairs ("BIA"). The approval of the easements and right-of-way are considered discretionary actions by the BIA. A potential construction staging area has been located north of the roadway, east of Executive Drive (on APN 677040030). The Project does not include any permanent partial or full property acquisitions; however, slope and drainage easements will be required on the following APNs: 677250057, 677250065, 677040031, 677250025, 677030031, and 6755040004.

The disposal site for the Project, if needed, would be selected by the City's contractor. Any environmental clearances related to the disposal site would be obtained by the contractor prior to construction.

Environmental Analysis

An environmental document has been prepared pursuant to CEQA Guidelines, consisting of an IS/MND was required for this proposed project. The purpose of the IS/MND is to evaluate the potential environmental impacts associated with construction of the Project. The IS/MND has been prepared to fulfill the City's requirements, as Lead Agency, with regard to CEQA. A copy of the IS/MND is included as **Attachment 2**.

The Project is funded, in part, with federal-aid funds through the Federal Highway Administration (“FHWA”), requiring environmental analysis of the Project also subject to the federal National Environmental Policy Act (“NEPA”) regulations. FHWA has delegated responsibility for compliance with NEPA regulations on this Project to the California Department of Transportation (“Caltrans”), who is acting on behalf of FHWA as the NEPA Lead Agency for the Project. Pursuant to concurrent environmental analysis in accordance with NEPA regulations, Caltrans has evaluated the Project based on the various technical studies, and has determined the Project qualifies for a NEPA Categorical Exclusion (the “NEPA CE”), and following the City’s approval of the IS/MND pursuant to CEQA, Caltrans will approve the issuance of the NEPA CE for the Project.

The IS/MND evaluated the full range of analysis as set forth in Appendix G of the CEQA Guidelines, including but not limited to the following areas:

- aesthetics
- agriculture resources
- air quality
- biological resources
- cultural resources
- geology and soils
- greenhouse gas emissions
- hazards and hazardous materials
- hydrology and water quality
- land use and planning
- mineral resources
- noise
- population and housing
- public services
- recreation
- transportation/traffic
- utilities and service systems
- mandatory findings of significance

Environmental Setting and Surrounding Land Uses

The Project is primarily located within the existing Vista Chino right-of-way in an urban environment. Vista Chino is a four-lane roadway with two lanes in each direction between Clubhouse View Drive and Carmela Drive. It contains three lanes in the eastbound direction and two lanes in the westbound direction between Gene Autry Trail and Clubhouse View Drive. The properties immediately adjacent to Vista Chino consist primarily of undeveloped land north and south of the existing roadway within the Whitewater River and a few manmade structures consisting of three large billboards, pole-mounted utility lines, and associated transmission lines.

Land uses north and south of the project site consist of open space within the Whitewater River channel. A relatively small commercial shopping center is located immediately northeast of Vista Chino and Gene Autry Trail. A residential development consisting mostly of single-family residences is located northeast of the project limits. A development composed of condominium units, landscaped areas, and a private golf course (Escena Golf Club and Desert Princess Country Club) is located south of the project site. Another residential development consisting of single-family residences is located south of the roadway, immediately west of Gene Autry Trail. A portion of the Project is also located on the Agua Caliente Band of Cahuilla Indian Reservation (the “Reservation”). The Reservation consists of the northern portion of Vista Chino, the area

north of Vista Chino within the Whitewater River, as well as areas south of Vista Chino, within the jurisdiction of Cathedral City.

The Circulation Element of the Palm Springs General Plan designates Vista Chino as a Major Thoroughfare (six-lane divided roadway). Major Thoroughfares serve mostly through-traffic, with some local access allowed; on-street parking may be allowed on some streets. The Cathedral City's General Plan Circulation Element designates Vista Chino as an Arterial Highway (six lanes divided with median), with an overall right-of-way width of 126 feet. The proposed improvements are within the Cathedral City's standards for an Arterial Highway.

The Palm Springs and Cathedral City Zoning Ordinances do not regulate the establishment of roadways; therefore, zoning requirements would not apply to the Project, and the Project itself was not subject to review by the City's Planning Commission.

Public Participation

Early and continuing coordination with the general public and appropriate public agencies was an essential part of the environmental process for this Project, as a way to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures and related environmental requirements. Agency consultation and public participation for the Project have been accomplished through a variety of formal and informal methods, including project development team meetings, interagency coordination meetings, formal meetings of the Palm Springs and Cathedral City Public Arts Commissions, and coordination with resource agencies and Native American individuals and organizations.

A public scoping meeting was sponsored by the City and held at City Hall on June 26, 2013, to allow the public to learn of the details of the Project and for the environmental team to receive input and comments regarding potential impacts the Project may have on the environment and surrounding area. Questions and concerns were noted and addressed, but no official comments were accepted at that time.

Consultation with several agencies occurred as part of preparing the Project's technical reports and the draft IS/MND. These agencies are identified in the various technical reports and include:

- United States Department of the Interior Bureau of Indian Affairs
- Native American Heritage Commission
- United States Fish and Wildlife Service
- California Department of Fish and Wildlife
- Caltrans, District 8 – San Bernardino/Riverside Region
- United States Army Corps of Engineers
- Agua Caliente Tribal Historic Preservation Officer

- Southern California Association of Governments
- Coachella Valley Association of Governments
- United States Environmental Protection Agency
- California Regional Water Quality Control Board
- Coachella Valley Water District
- South Coast Air Quality Management District
- Riverside County Flood Control & Water Conservation District
- State of California Office of Historic Preservation

The draft IS/MND was circulated for public comment from July 15 through August 13, 2015. A public notice announcing circulation and availability of the document was published in the *Desert Sun* on July 15, 2015; a copy of the public notice is included as **Attachment 3**. The draft IS/MND was also available for review at City Hall, the Palm Springs Public Library, the Welwood Murray Memorial Library, and the Cathedral City Branch Library.

A total of nine project/comment letters regarding the draft IS/MND were received during the public comment period, including a letter from the California Governor's Office of Planning and Research – State Clearinghouse and Planning Unit, (the "State Clearinghouse"), indicating that the State Clearinghouse received no comments on the City's draft IS/MND from state agencies during the review period. However, in response to the City's public notice, public comment letters were received by the City from the following individuals:

- Ollie Biegel, Superintendent, United States Department of the Interior, Bureau of Indian Affairs
- Scott Morgan, Director, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit
- Leslie McNair, California Department of Fish and Wildlife Service
- Alexander Meyerhoff, Community Development Director, City of Desert Hot Springs
- Joan Valle, Associate Engineer, Riverside County Flood Control & Water Conservation District
- Kris Flanigan, Engineering Project Manager, Riverside County Flood Control & Water Conservation District
- Nena McCullough, Local Public Affairs Region Manager, Southern California Edison (SCE)
- Pattie Garcia, Director Tribal Historic Preservation Office, Agua Caliente Band of Cahuilla Indians
- Joseph Ontiveros, Cultural Resources Director, Soboba Band of Luiseño Indians,

Section 15074 of the CEQA Guidelines applies to the City's consideration and adoption of a Mitigated Negative Declaration, and requires the City Council to consider (but not respond to) any comments received during the public review process. Response to public comments is only required when the City considers approval of an Environmental

Impact Report, pursuant to Section 15088 of the CEQA Guidelines. Although not required by the CEQA Guidelines in this case, responses to the public comments received have been prepared and are included as part of the City Council's consideration of the IS/MND for the Project. Copies of the comment letters and the written responses are included as **Attachment 4**.

Findings

The IS/MND prepared for the Project has concluded, and following public review, it has been determined that the Project, with various avoidance, minimization, and mitigation measures set forth in the IS/MND, will not have a significant impact on the environment for the following reasons:

- The Project will have ***no impact*** on agricultural resources, cultural resources, land use and planning, mineral resources, population and housing, and recreation;
- The Project will have a ***less than significant impact*** on aesthetics, geology and soils, greenhouse gas emissions, hazards and hazardous materials, noise, public services, and utilities and service systems;
- The Project will have a ***less than significant impact with mitigation incorporated*** on air quality, biological resources, hydrology and water quality, transportation/traffic, and mandatory findings of significance.

The MND has identified various avoidance and minimization measures that would ensure that any impacts associated with construction of the Project will be considered "less than significant," and specific mitigation measures have been identified that would reduce potential impacts to a less than significant level; a copy of the Mitigation Monitoring and Reporting Program is included as **Attachment 5**.

In accordance with the CEQA Guidelines, staff recommends that the City Council consider the proposed MND together with the comments received during the public review process, and adopt the proposed MND finding on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the Project will have a significant effect on the environment and that the MND reflects the City Council's independent judgment and analysis. A Resolution has been prepared to reflect the City Council's actions pursuant to CEQA, and is included as **Attachment 6**.

FISCAL IMPACT:

FHWA coordinates a program to provide federal funding to each state's Department of Transportation for maintenance and construction of state and local bridges. In California, this funding is allocated to Caltrans who provides funding to local agencies for eligible local bridge projects. An eligible bridge project includes construction of new bridges where roads cross a water course or floodway, like the Whitewater River. Given

this eligibility, all costs associated with the Project are reimbursed by Caltrans at a ratio of 88.53% requiring an 11.47% local match.

Construction of the Project is also eligible for Regional Measure A funding through CVAG. On November 16, 2011, the City Council approved a reimbursement agreement with CVAG whereby CVAG will reimburse the City 75% of the local match against the federal funds allocated to the Project by Caltrans for the PA/ED Phase. The total cost for the current PA/ED Phase is \$1,690,000 which has been funded by Caltrans with \$1,496,157 in federal funds, by CVAG with \$145,383 in Regional Measure A funds, and by the City with \$48,460 in Local Measure A funds. Thus, the City's costs to date for the Project have been effectively reduced to 3% of those costs as a result of the federal and CVAG funding provided to the Project.


Preliminary estimates of the total cost of the Project have been identified as follows:

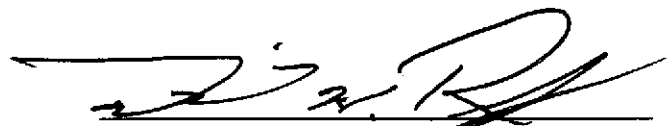
• PA/ED (environmental) phase:	\$1,690,000
• Final design phase:	\$4,800,000
• Right-of-way phase:	\$915,000
• Environmental mitigation:	\$6,385,000
• Utility relocation:	\$1,050,000
• Construction:	\$65,000,000
• Construction engineering/support:	\$7,000,000
TOTAL COST:	\$86,840,000

Subject to approval by Caltrans and programming of additional funding for the future phases of the Project, the total cost of the Project will be funded as follows:

• FHWA/Caltrans federal funding:	\$76,879,000 (88.53%)
• CVAG Regional Measure A funding:	\$7,470,000 (8.6%)
• Local Measure A funding:	\$2,490,000 (2.87%)

SUBMITTED:


Marcus L. Fuller, MPA, P.E., P.L.S.
Assistant City Manager/City Engineer


David H. Ready, Esq., Ph.D.
City Manager

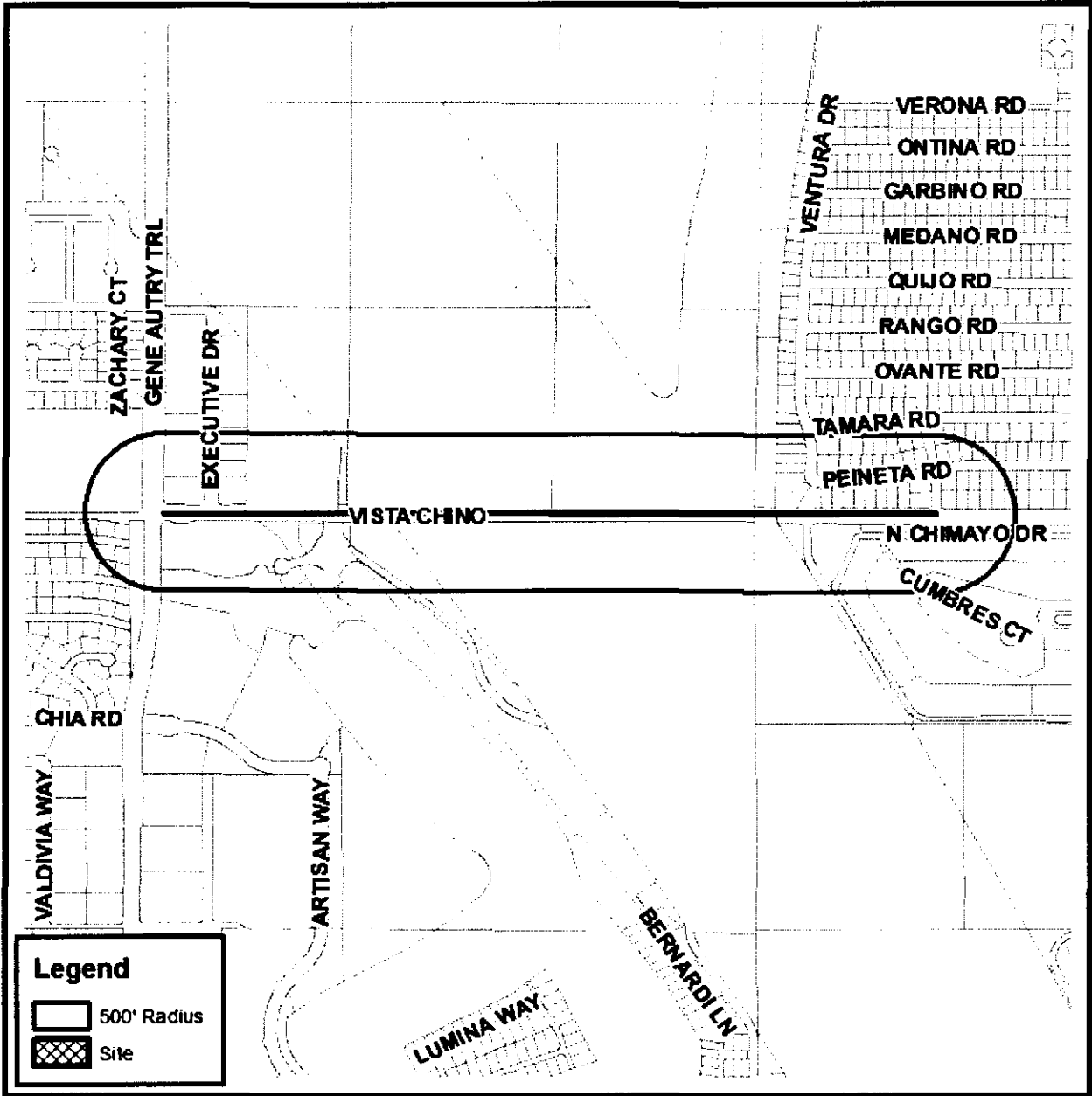
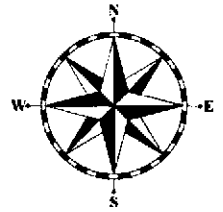
ATTACHMENTS:

1. Vicinity Map
2. Initial Study/Mitigated Negative Declaration
3. Public Notice
4. Public Comments and Responses
5. Mitigation Monitoring and Reporting Program
6. Resolution

ATTACHMENT 1



Department of Public Works and Engineering
Vicinity Map



CITY OF PALM SPRINGS

**ATTACHMENT 2
(ON FILE WITH
THE CITY CLERK)**

ATTACHMENT 3



**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION FOR THE
VISTA CHINO LOW-WATER CROSSING BRIDGE REPLACEMENT AT
WHITewater RIVER PROJECT**

- LEAD AGENCY:** City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
- CONTACT PERSON:** Edward Robertson, Principal Planner (760) 323-8245
- PROJECT TITLE:** Vista Chino Low-Water Crossing Bridge Replacement at
Whitewater River Project
- PROJECT LOCATION:** Located on Vista Chino between Gene Autry Trail and Carmela
Drive in Palm Springs and Cathedral City, Riverside County.

NOTICE IS HEREBY GIVEN that the City of Palm Springs has completed an Initial Study/Mitigated Negative Declaration for the proposed Vista Chino Low Water Crossing Bridge Replacement at Whitewater River Project in accordance with the California Environmental Quality Act (CEQA).

Project Location: The proposed project includes the construction of a new bridge along Vista Chino at the Whitewater River between Gene Autry Trail and Carmela Drive in Palm Springs and Cathedral City, which are in the western Coachella Valley of central Riverside County. A portion of the proposed project is also located on the Agua Caliente Indian Reservation (Reservation). The Reservation consists of the northern portion of Vista Chino, the area north of Vista Chino within the Whitewater River, and the segment of Vista Chino, as well as areas south of Vista Chino, within the jurisdiction of Cathedral City.

Proposed Project: The City of Palm Springs (City), in coordination with the City of Cathedral City and the California Department of Transportation (Caltrans), is proposing to replace the existing low-water crossing along Vista Chino at the Whitewater River with a newly constructed bridge. The new bridge would replace the existing roadway, which is currently a low-water crossing. The purpose of the proposed project is to improve traffic circulation and emergency access within Palm Springs and Cathedral City during storm events. The new bridge structure would be approximately 94 feet wide, consisting of a 66-foot-wide roadway with four 12-foot-wide lanes (two lanes in each direction) separated by a ten-foot-wide median and a combined six-foot-wide sidewalk and five-foot-wide bike lane that would be separated from vehicular traffic by a concrete barrier along either side. The proposed bridge span would be approximately 2,310 feet. In addition, there would be striping and signage work beyond the hardscape limit from Gene Autry Trail to Carmela Drive. The total project limits would be approximately 4,950 feet.

FINDINGS/DETERMINATION: The City has reviewed and considered the proposed project and has determined that any potentially significant impacts can be mitigated to a level less than significant. The City hereby prepares and proposes to adopt a Mitigated Negative Declaration for this project.

PUBLIC REVIEW PERIOD: A 30-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 a.m. on July 15, 2015, and end on August 13, 2015, at 6:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at



the above address within the public review period. In addition, you may email comments to the following address: Edward.Robertson@palmspringsca.gov. Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City of Palm Springs Public Library located at 300 South Sunrise Way, Palm Springs, CA 92262; Welwood Murray Memorial Library located at 100 S. Palm Canyon Drive, Palm Springs, CA 92262; and the Cathedral City Branch Library located at 33520 Date Palm Drive, Cathedral City, CA 92234.

PUBLIC MEETING: A public meeting will not be conducted for the proposed project during the 30-day public review period unless there is an overwhelming interest from the public.

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

Certificate of Publication

State Of California ss:
County of Riverside

Advertiser:

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IRVINE CA 92618

2000760099

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non panel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: .The Desert Sun

7/15/2015

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of July, 2015 in Palm Springs, California.

Declarant's Signature

No 1033
**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION
FOR THE VISTA CHINO LOW-WATER
CROSSING BRIDGE REPLACEMENT AT
WHITTEWATER RIVER PROJECT**

LEAD AGENCY : City of Palm Springs
3200 East Tahquitz Canyon Way, Palm Springs,
CA 92262

CONTACT PERSON: Edward Robertson,
Principal Planner (760) 323-8245

PROJECT TITLE : Vista Chino Low-Water
Crossing Bridge Replacement at Whitewater River
Project

PROJECT LOCATION : Located on
Vista Chino between Gene Autry Trail and
Carmela Drive in Palm Springs and Cathedral
City, Riverside County.

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cordance with the California Environmental Quality
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Reservation consists of the northern portion of
Vista Chino, the area north of Vista Chino within
the Whitewater River, and the segment of Vista
Chino, as well as areas south of Vista Chino, with-
in the jurisdiction of Cathedral City.

Proposed Project: The City of Palm Springs
(City), in coordination with the City of Cathedral
City and the California Department of Transpor-
tation (Caltrans), is proposing to replace the existing
low-water crossing along Vista Chino at the
Whitewater River with a newly constructed bridge.
The new bridge would replace the existing road-
way, which is currently a low-water crossing. The
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Springs and Cathedral City during storm events.
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within the public review period. In addition, you
may email comments to the following address: Ed-
ward.Robertson@palm Springs.ca.gov. Copies of
the Mitigated Negative Declaration and Initial
Study are available for review at the above ad-
dress and at the City of Palm Springs Public Li-
brary located at 300 South Camino Verde, Palm
Springs, CA 92262; Woodrow Murray Memorial Li-
brary located at 100 S. Palm Canyon Drive, Palm
Springs, CA 92262; and the Cathedral City Branch
Library located at 33520 Dece Palm Drive, Cathed-
ral City, CA 92234.

PUBLIC MEETING: A public meeting will not
be conducted for the proposed project during the
30-day public review period unless there is an
overwhelming interest from the public.
Published: 7/15/15

ATTACHMENT 4

Appendix F

Comments Received and Responses to Comments

Introduction

The City has evaluated the comments received on the draft Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed project and has prepared written responses to these comments. This chapter contains copies of the comments received during the public review process and provides an evaluation and written responses for each of these comments.

Comments Received

During the public review period for the project which began on July 15, 2015 and ended on August 13, 2015, the City received nine comment letters from agencies, organizations, and/or individuals. The commenting parties are listed below, along with a corresponding letter, which identifies the comment letters and the responses to comments provided in this chapter.

Comment Letter	Agency/Name	Correspondence Date
<i>Federal Agencies</i>		
A	United States Department of the Interior, Bureau of Indian Affairs, Ollie Biegel	08/13/2015
<i>State Agencies</i>		
B	Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan	08/13/2015
C	California Department of Fish and Wildlife Service, Leslie McNair	08/17/2015
<i>Local Agencies</i>		
D	City of Desert Hot Springs, Alexander Meyerhoff	07/14/2015
E	Riverside County Flood Control & Water Conservation District, Joan Valle	08/05/2015
F	Riverside County Flood Control & Water Conservation District, Kris Flanigan	08/13/2015
G	Southern California Edison, Nena McCullough	08/13/2015
<i>Organizations and/or Individuals</i>		
H	Agua Caliente Band of Cahuilla Indians, Pattie Garcia	07/15/2015
I	Soboba Band of Luiseño Indians, Joseph Ontiveros	08/5/2015

Comments and Responses to Comments

This section includes all written comments on the draft IS/MND received by the City and the responses to those comments. Responses are prepared for those comments that address the sufficiency of the environmental document regarding the adequate disclosure of environmental impacts and methods to avoid, minimize, or mitigate those impacts.

Comment Letter A

PLANNING SERVICES
DEPARTMENT



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Palm Springs Agency
P.O. Box 2245
Palm Springs, CA 92263

AUG 13 2015

IN REPLY REFER TO
Division of Trust Services

Edward Robertson, Principal Planner
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Notice of Intent to Adopt a Mitigated Negative Declaration for the Vista Chino
Low-Water Crossing Bridge Replacement at Whitewater River Project

Dear Mr. Robertson:

The Bureau of Indian Affairs (BIA) appreciates the opportunity to review and comment on the Notice of Intent and underlying draft Mitigated Negative Declaration (MND) for the Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project. As stated in the document, a portion of the proposed project is located on the Agua Caliente Indian Reservation. BIA holds the land in trust status for the beneficial use of the Tribe and Indian landowners.

A-1

The MND acknowledges the need for easements and the relocation of utility rights of ways and impact to billboards. The approval of easements and rights of ways are subject to a discretionary action by the BIA. BIA recommends editing the draft MND Description of the Proposed Project to recognize BIA's discretionary approval versus the current language "... would need to be processed through the Bureau of Indian Affairs (BIA)." Additionally, BIA should be added to Table 2-1 Permits and Approvals.

Thank you for your consideration. If you have any questions, please contact John Rydzik, Chief, Division of Environmental Cultural Resource Management and Safety (DECRMS) at (916) 978-6051.

Sincerely,

Allie Brazal
Superintendent

Comment Letter A: U.S. Department of the Interior, Bureau of Indian Affairs, Ollie Biegel

Response to Comment A-1

The Initial Study/Mitigated Negative Declaration (IS/MND) has been updated to include reference to the need for approval of the easements and right-of-way by the U.S. Bureau of Indian Affairs (BIA). Refer to Discretionary Approvals Required, page 2-8 and Table 2-1, Permits and Approvals, page 2-15 of the IS/MND.

Comment Letter B



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



RECEIVED
KELLY
DIRECTOR
AUG 17 2015
PLANNING SERVICES
DEPARTMENT

August 13, 2015

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

Subject: Vista Chino Low Water Crossing Bridge Replacement at Whitewater River Project
SCH#: 2015071038

Dear Edward Robertson:

B-1

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on August 12, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015071038
Project Title Vista Chino Low Water Crossing Bridge Replacement at Whitewater River Project
Lead Agency Palm Springs, City of

Type MND Mitigated Negative Declaration
Description Replacement of the existing low water crossing on Vista Chino at the Whitewater River with a newly constructed bridge. The total project limits would approximately 4,950 feet. The purpose of the proposed project is to improve traffic circulation and emergency access within Palm Springs and Cathedral City during storm events.

Lead Agency Contact

Name Edward Robertson
Agency City of Palm Springs
Phone (760) 323-8245 **Fax**
email
Address 3200 E. Tahquitz Canyon Way
City Palm Springs **State** CA **Zip** 92262

Project Location

County Riverside
City Palm Springs, Cathedral City
Region
Lat / Long 33.846657° N / 116.501716° W
Cross Streets On Vista Chino between Gene Autry Trail and Carmela Drive
Parcel No.
Township 4S **Range** 5E **Section** 5-8 **Base**

Proximity to:

Highways SR 111
Airports Palm Springs Int'l
Railways UPRR
Waterways Whitewater River
Schools Rio Vista ES
Land Use Various

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Other Issues

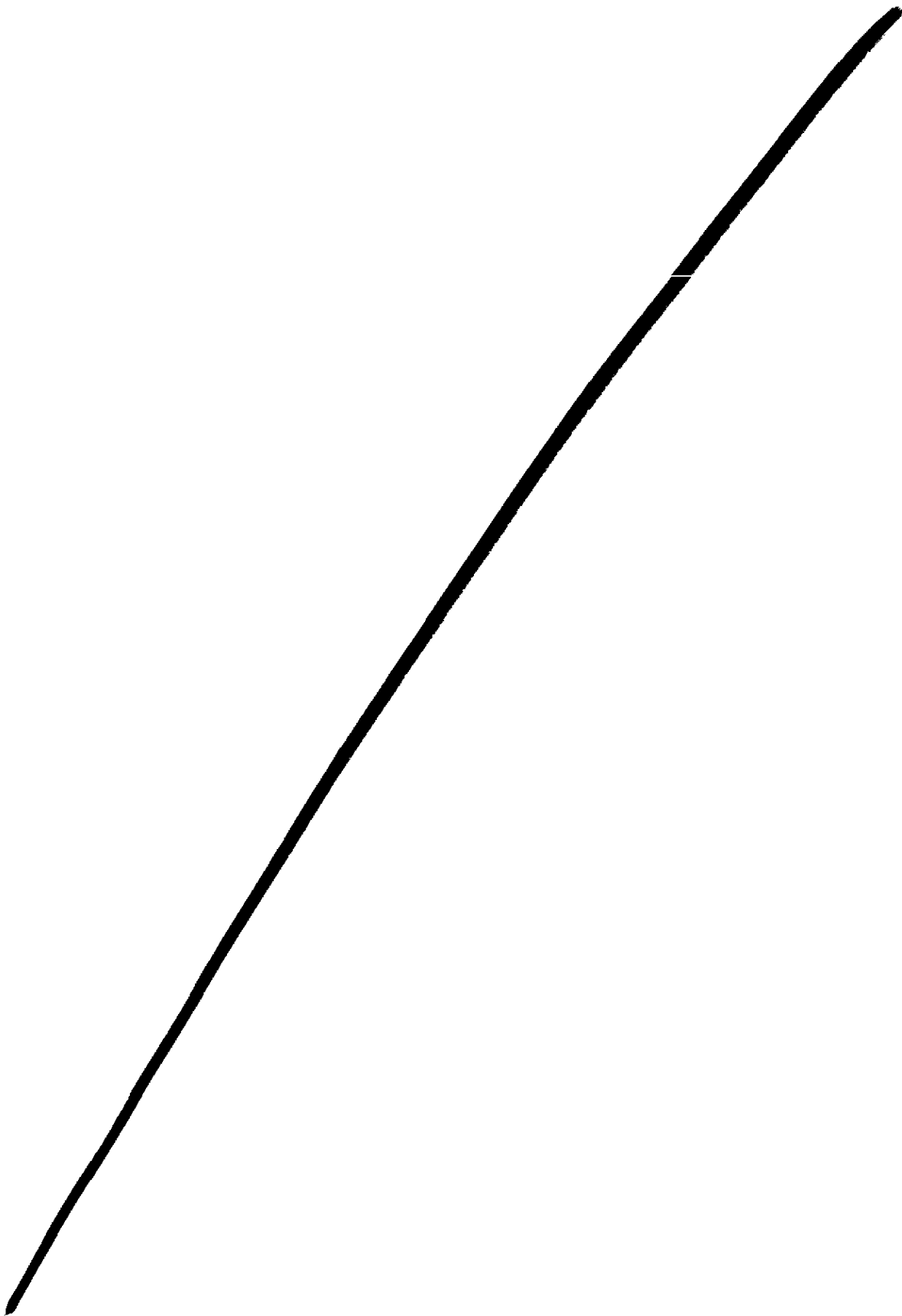
Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Fish and Wildlife, Region 6; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8, Air Resources Board; Regional Water Quality Control Board, Region 7; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 07/14/2015 **Start of Review** 07/14/2015 **End of Review** 08/12/2015

Comment Letter B: Governor's Office of Planning and Research, State Clearinghouse Planning Unit, Scott Morgan

Response to Comment B-1

The commenter acknowledges that the City of Palm Springs (City), as Lead Agency, has complied with the State Clearinghouse review requirements for draft environmental documents pursuant to the California Environmental Quality Act (CEQA). No comments are included that require a response.





State of California - The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
78-078 Country Club Drive, Ste 109
Bermuda Dunes, CA 92203
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



RECEIVED

AUG 17 2015

PLANNING SERVICES
DEPARTMENT

August 17, 2015

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

Subject: Mitigated Negative Declaration Vista Chino Low-Water Crossing Bridge
Replacement at Whitewater River Project

Dear Mr. Robertson:

The California Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Mitigated Negative Declaration (MND) for the Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project (Project). The Department is responding to the MND as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

The Project proposes the construction of a new bridge along Vista Chino Road at the Whitewater River between Gene Autry Trail and Carmela Drive in Palm Springs and Cathedral City, which are in the western Coachella Valley of central Riverside County. A portion of the proposed project is also located on the Agua Caliente Indian Reservation. The bridge would replace the existing roadway, which is currently a low-water crossing. The purpose of the proposed project is to improve traffic circulation and emergency access within Palm Springs and Cathedral City during storm events. The new bridge structure would be approximately 94-foot wide, consisting of a 66-foot wide roadway with four 12-foot wide lanes.

Biological Resources and Impacts

C-1

The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

Conserving California's Wildlife Since 1870

C-1
cont.

If state or federal endangered or threatened species have the potential to occur on the Project, site species specific surveys should be conducted using methods approved by the Department or assume the presence of the species throughout the project site. The CEQA document should include recent survey data (CEQA Guidelines Section 15125(a)). The CEQA document should also address species of special concern and federal critical habitat. To assist with review, an accompanying map showing the areas of impact should be included in the subsequent CEQA document. Additional maps detailing the location of endangered, threatened, or special of special concern should also be included in the subsequent CEQA document.

Natural Community Conservation Program (NCCP) and California Endangered Species Act (CESA)

C-2

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Plan Program (NCCP Program). Within the Inland Deserts Region, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) per Section 2800, et seq., of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

Western Burrowing Owls

C-3

The proposed Project site is located in potential habitat for the Western Burrowing Owl (*Athene cunicularia*). This species is designated a California Species of Special Concern. Section 15380 of the California Environmental Quality Act (CEQA) requires the lead agency to treat sensitive species as though they were listed, if the species meets the criteria for listing described in the section. The Department believes that the proposed project could further the decline of the above sensitive species. This species must be treated as though it were listed and appropriate avoidance, mitigation, and compensation for impacts need to be identified. Unavoidable impacts to the Western Burrowing Owl should be mitigated through acquisition and protection, in perpetuity, of high quality biological habitat. In addition, surveys and mitigation should be consistent

C-3
cont.

with the 2012 Department Staff Report on Burrowing Owl Mitigation (link: <http://www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffReport.pdf>).

Lake and Streambed Alteration Program

C-4

Due to impacts the Project will have to the Whitewater River Channel, a Notification of Lake or Streambed Alteration is still required by the Department, as the Project's site are within jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools). The Department is responsible for assessing and evaluating impacts to jurisdictional waters; typically accomplished through reviewing jurisdictional delineation (JD) reports, supporting information, and conducting site visits. Following review of a JD, the Department may request changes to the JD. The Department may also recommend that additional project avoidance and/or minimization measures be incorporated, or request additional mitigation for project-related impacts to jurisdictional areas.

C-5

The Department recommends submitting a notification early in the project planning process, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

C-6

The Department opposes the elimination of ephemeral, intermittent, and perennial streams, channels, lakes, and their associated habitats. The Department recommends avoiding stream and riparian habitat to the greatest extent possible. The CEQA document should include measures to avoid or minimize project impacts. Where adverse impacts cannot be avoided or minimized, the CEQA document should describe compensatory mitigation, for example, the creation and/or restoration of in-kind habitat either on- or off-site. Additional mitigation requirements through the Department's Lake and Streambed Alteration Agreement process may be required, depending on the quality of habitat impacted, proposed compensatory mitigation, project design, and other factors.

C-7

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,

C-7
cont.

3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

C-8

In the absence of specific mitigation measures in the CEQA document, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Guidelines Section 15002).

Alternatives Analysis

C-9

The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6). The analysis should include a range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources. The Department considers Rare Natural Communities as threatened habitats, having both local and regional significance. Thus, these communities should be fully avoided and otherwise protected from Project-related impacts. The CEQA document should include an evaluation of specific alternative locations with lower resource sensitivity where appropriate. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat should be addressed.

C-10

Please note that the Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

Department Recommendations

The Department has the following concerns about the Project, and requests that these concerns be addressed in the CEQA document:

C-11

1. The CEQA document should quantify impacts to habitats and species as per the informational requirements of CEQA. An accompanying map showing the areas of impact should also be included.

C-12

2. The CEQA document should include recent biological surveys for fauna and flora (CEQA Guidelines Section 15125(a)). The Department recommends that the Lead Agency contact the Department's California Natural Diversity Database (CNDDDB) in Sacramento, (916) 327-5960, to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code. If state or federal threatened or endangered species may occur within the project area, species specific surveys,

C-12
cont.

conducted at the appropriate time of year and time of day, should be included with the CEQA document. Acceptable species specific surveys have been developed by the Department, and by the U.S. Fish and Wildlife Service, and are accessible through each agencies websites. Assessments for rare plants and rare plant natural communities should follow the Department's 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. If the Department's 2009 guidelines were not used, surveys conducted after the issuance of the 2009 guidance should be updated following the 2009 guidelines. The guidance document is available [here:](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf)
http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf

C-13

3. The CEQA document should provide an analysis of habitat conservation plans and natural community conservation plans, including the MSHCP. The CEQA document should include a discussion of how the project will affect reserve assembly; how the Project will affect the goals and objectives of the NCCP; the applicable policies and procedures that pertain to the Project; a discussion of survey requirements; and a list of proposed mitigation measures required by the NCCP. A copy of any documents required by the NCCP (e.g., Determination of Biologically Equivalent or Superior Preservation) should be included with the CEQA document.

C-14

4. The analysis in the CEQA document should satisfy the requirements of the Department's Lake and Streambed Alteration Program and CESA (if deemed necessary).

C-15

5. The Department recommends that a CESA ITP be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project, and the applicant chooses not to process the Project through the NCCP. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats. The Department encourages early consultation, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA ITP. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA ITP unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit.

C-16

6. The CEQA document should provide a thorough analysis of direct, indirect, and cumulative impacts and identify specific measures to offset such impacts.

C-17

7. The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6).

Comment Letter C: California Department of Fish and Wildlife, Leslie MacNair

Response to Comment C-1

Chapter 3, Sections IV.a. and IV.b in the Initial Study/Mitigated Negative Declaration (IS/MND) have been revised to include the additional requested information. This includes specific information on biological resources at the project site and discussions regarding any threatened or endangered species that have the potential to occur on site, along with any species of special concern. The Natural Environment Study has been included as Appendix D, which contains figures that address biological resources present on the project site.

Response to Comment C-2

Chapter 3, Section IV.f. of the IS/MND has been revised to read:

“The proposed project is a Covered Activity under the CVMSHCP (Section 7.2.3 of the CVMSHCP) and does not occur within or adjacent to an established Conservation Area. The southern “half” of the proposed project occurs within the CVMSHCP and as such would receive take authorization under the CVMSHCP. As the proposed project is not located within or adjacent to a CVMSHCP Conservation Area, the proposed project does not conflict with Conservation Objectives associated with the Reserve System as described under Section 4.0; Land Use Adjacency Guidelines as described under Section 4.5; or Acquisition and Related Protection Actions or Monitoring and Management Actions as described under Section 9.0 of the CVMSHCP. Through the implementation of Measures BIO-1 through BIO-14, as described in Chapter 3, Section IV.a. above, the proposed project would be consistent with applicable avoidance, minimization, and mitigation measures described in Section 4.4 of the CVMSHCP; therefore, no impacts to the efficacy of the CVMSHCP are anticipated.

The northern “half” of the project occurs outside the CVMSHCP on Tribal lands and would not receive take coverage under the Plan. The Agua Caliente Band of Cahuilla Indians has developed a Tribal HCP to manage lands and natural resources within its jurisdictional territory. The proposed project is a Covered Project under the Tribal HCP (Chapter 4.2 of the Tribal HCP) (Helix 2007). A portion of the proposed project occurs within the Fluvial Sand Transport Process Area (FSTPA) and a portion is within the Section 6 Target Acquisition Area, which holds the highest priority of lands to be acquired for conservation by the Tribe. The Tribal HCP is not permitted under FESA and as such would not provide take authorization for federally listed species for the proposed project; however, a Conditional Use Permit granted by the Tribe will be necessary prior to construction of the proposed project. In addition, mitigation fee payment (currently \$2,731 per acre) would be required for project impacts on Tribal lands. No impacts to the efficacy of the Tribal HCP are anticipated.”

Response to Comment C-3

The discussion of proposed impacts, avoidance, and compensation for burrowing owl has been revised and the following paragraph has been added to Chapter 3, Section IV.a. of the IS/MND:

“The potential impacts on burrowing owl located on Tribal lands are not currently granted take authorization under the CVMSHCP (as Tribal lands are not a portion of the Plan Area); however, a Conditional Use Permit granted by the Tribe will be necessary prior to construction of the proposed

project and a mitigation fee payment (currently \$2,731 per acre) would be required for project impacts on Tribal lands. Therefore, the proposed project is consistent with the Tribal HCP. In addition, on Tribal lands, Measures BIO-14 through BIO-16 would avoid direct take of burrowing owl. Therefore, the avoidance of direct take along with the combined compensation including conserved lands, received through the CVMSHCP and Tribal HCP would fully compensate for proposed impacts to this species on both CVMSHCP and Tribal lands, thereby ensuring these impacts would be mitigated to less-than-significant levels under CEQA."

Response to Comment C-4

The Jurisdictional Delineation Report has now been included as Appendix D of the appended Natural Environment Study (Appendix D of the IS/MND).

Response to Comment C-5

The Department's recommendation is noted.

Response to Comment C-6

The seventh paragraph under Chapter 3, Section IV.b. of the final IS/MND has been revised to incorporate the following mitigation statement:

"The proposed project would directly impact 11.71 acres (446 linear feet) of state streambeds, of which 1.49 acre (529 linear feet) of unvegetated streambed would be permanently impacted and 10.18 acres (430 linear feet) of unvegetated streambed would be temporarily impacted (refer to Table 3-8). These impacts are depicted on Figure 4-2 of the Natural Environment Study for the proposed project (Appendix D). A Streambed Alteration Agreement, as regulated by Section 1602 of the California Fish and Game Code, and potentially compensatory mitigation would be required. Compensatory mitigation is anticipated at a minimum of a 1:1 ratio of on- or off-site creation, restoration, and/or preservation, and may potentially incorporate the reclamation of state streambeds, as described below. Coordination with CDFW has not occurred to date."

In addition, the following avoidance statement has been revised to include Drainage 1:

"No impacts would occur to Drainage 1 or Basin 1, because these features are located outside of the proposed impact area; therefore, the entirety of these features will be avoided."

Response to Comment C-7

Items 1) and 3) of Comment C-7- The following mitigation statement has been added to the seventh paragraph under Chapter 3, Section IV.b. of the IS/MND:

"The proposed project would directly impact 11.71 acres (446 linear feet) of state streambeds, of which 1.49 acre (529 linear feet) of unvegetated streambed would be permanently impacted and 10.18 acres (430 linear feet) of unvegetated streambed would be temporarily impacted (refer to Table 3-8). These impacts are depicted on Figure 4-2 of the Natural Environment Study for the proposed project (Appendix D). A Streambed Alteration Agreement, as regulated by Section 1602 of the California Fish and Game Code, and potentially compensatory mitigation would be required. Compensatory mitigation is anticipated at a minimum of a 1:1 ratio of on- or off-site creation,

restoration, and/or preservation, and may potentially incorporate the reclamation of state streambeds, as described below. Coordination with CDFW has not occurred to date.”

Item 2) of Comment C-7- The following avoidance statement has been revised to include Drainage 1:

“No impacts would occur to Drainage 1 or Basin 1, because these features are located outside of the proposed impact area; therefore, the entirety of these features will be avoided.

In addition, the discussion of avoidance and minimization measures in Chapter 3, Section IV.b. has been retained from the draft IS/MND, and reads:

“During construction, there is a potential for increased risk of indirect impacts on adjacent jurisdictional waters, particularly downstream; however, Measures **BIO-5** through **BIO-10** would be implemented to ensure water resources outside of the direct impact area are not affected during or after construction. Measure **BIO-11** would ensure best management practices are employed where jurisdictional waters are present adjacent to the project limits.”

Response to Comment C-8

The following mitigation statement has been added to the seventh paragraph under Chapter 3, Section IV.b. in the IS/MND:

“Compensatory mitigation is anticipated at a minimum of a 1:1 ratio of on- or off-site creation, restoration, and/or preservation, and may potentially incorporate the reclamation of state streambeds, as described below.”

Response to Comment C-9

Comment noted. Section 15126.6 of the CEQA Guidelines pertains to the preparation of an Environmental Impact Report and not an IS/MND. Section 15126.6 of the CEQA Guidelines states: “An EIR shall 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.” Only one build alternative has been considered, which is appropriate for an IS/MND. However, optimization of the project alignment and features has been conducted to ensure that avoidance of sensitive resources has been incorporated to the extent practicable. Where total avoidance is not possible measures have been identified to further minimize and/or address impacts as appropriate.

Response to Comment C-10

Comment noted.

Response to Comment C-11

To provide the requested information, Tables 3-8 through 3-12 been added to Chapter 3, Section IV.a. The Natural Environment Study has been included as Appendix D, which contains Figures 3-5, and 4-3 through 4-6 as a graphical depiction, and a reference to these figures has been included in the fifth paragraph under Chapter 3, Section IV.a. of the IS/MND.

Response to Comment C-12

Comment noted. Existing applicable survey protocols as made available by CDFW and USFWS were followed when conducting focused surveys for the proposed project, as described in Chapter 2 of the Natural Environment Study (Appendix D of the IS/MND). This included surveys for plant species applicable to the project site.

Response to Comment C-13

The third sentence in the first paragraph under Chapter 3, Section IV.f. of the IS/MND has been revised to read:

“Through the implementation of Measures BIO-1 through BIO-14, as described in Chapter 3, Section IV.a. above, the proposed project would be consistent with applicable avoidance, minimization, and mitigation measures described in Section 4.4 of the CVMSHCP; therefore, no impacts to the efficacy of the CVMSHCP are anticipated and the project is in compliance with the requirements of the CVMSHCP.”

Response to Comment C-14

The ninth paragraph under Chapter 3, Section IV.a. of the IS/MND has been revised to read:

“The potential impacts on Coachella Valley milk-vetch and Coachella Valley fringe-toed lizard located on Tribal lands (north side of Vista Chino) are not currently granted take authorization under FESA or CESA. On Tribal lands, Measures BIO-1, BIO-2, and BIO-12 would provide adequate mitigation and compensation for Coachella Valley milk-vetch and Coachella Valley fringe-toed lizard, thereby providing consistency with the Tribal HCP and ensuring these impacts would be mitigated to less-than-significant levels under CEQA. Compensation for the loss of CVMV on Tribal lands would occur through Measure BIO-17. For proposed impacts to Coachella Valley fringe-toed lizard on Tribal lands, an Incidental Take Permit (ITP), administered by CDFW and separate from that conducted through the demonstration of compliance with the CVMSHCP would be necessary. The proposed project would mitigate impacts to this species on the Tribal land at a minimum of a 1:1 ratio, which is consistent with the Tribe’s requirements. Additional compensation is not expected but would be determined during the 2080.1 Consultation. No consultation with CDFW has been performed to date.”

In addition, the following mitigation statement has been added to the seventh paragraph under Chapter 3, Section IV.b. of the IS/MND:

“The proposed project would directly impact 11.71 acres (446 linear feet) of state streambeds, of which 1.49 acre (529 linear feet) of unvegetated streambed would be permanently impacted and 10.18 acres (430 linear feet) of unvegetated streambed would be temporarily impacted (refer to Table 3-8). These impacts are depicted on Figure 4-2 of the Natural Environment Study for the proposed project (Appendix D of the IS/MND). A Streambed Alteration Agreement, as regulated by Section 1602 of the California Fish and Game Code, and potentially compensatory mitigation would be required. Compensatory mitigation is anticipated at a minimum of a 1:1 ratio of on- or off-site creation, restoration, and/or preservation, and may potentially incorporate the reclamation of state streambeds, as described below. Coordination with CDFW has not occurred to date.”

Response to Comment C-15

The following statement has been added to the seventh paragraph under Chapter 3, Section IV.a. of the IS/MND:

“For proposed impacts to Coachella Valley fringe-toed lizard on Tribal lands, an Incidental Take Permit (ITP), administered by CDFW and separate from that conducted through the demonstration of compliance with the CVMSHCP would be necessary. The proposed project would mitigate impacts to this species on the Tribal land at a minimum of a 1:1 ratio, which is consistent with the Tribe’s requirements. Additional compensation is not expected but would be determined during the 2080.1 Consultation. No consultation with CDFW has been performed to date.”

Response to Comment C-16

Chapter 3, Sections IV.a. through IV.c., and IV.f. of the IS/MND have been revised to further analyze such impacts, and specific measures are identified to offset such impacts.

Response to Comment C-17

Refer to Response to Comment C-9.

Edward Robertson

From: Alex Meyerhoff <ameyerhoff@cityofdhs.org>
Sent: Tuesday, July 14, 2015 5:44 PM
To: Edward Robertson
Subject: Vista Chiono Low Water Croissing Bridge Replacement at Whitewater River Project

Mr. Robertson,

D-5 Thank you for the opportunity to comment on the Notice of Intent to Adopt a Mitigated negative Declaration for the Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project.

The City of Desert Hot Springs has no comments at this time.

Regards,

Alexander P. Meyerhoff, AICP | Community Development Director

O: (760) 329-6411 Ext. 259 F: (760) 288-0639



City of Desert Hot Springs

65950 Pierson Boulevard • Desert Hot Springs • California, 92240

www.cityofdhs.org

Comment Letter D: City of Desert Hot Springs, Alexander Meyerhoffer

Response to Comment D-1

The City of Desert Hot Springs has no comments on the draft Initial Study/Mitigated Negative Declaration (IS/MND). No comments are included that require a response.

Edward Robertson

From: Valle, Joan <jvalle@rcflood.org>
Sent: Wednesday, August 05, 2015 5:59 PM
To: Edward Robertson
Subject: Reports request for the Vista Chino Bridge Replacement project

Hello Mr. Robertson,
We are reviewing the Initial Study (IS) for the Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project and would like to review a few of the reports referenced in the IS.

The reports of interest are referenced as follows:

E-1

AEI-CASC Consulting. 2013. *Water Quality Assessment Report Vista Chino Low-Water Crossing Bridge Replacement Project (Vista Chino Bridge Project)*. May.

Terra Nova Planning & Research, Inc. 2013c. *Initial Site Assessment for the Vista Chino Low-Water Crossing Replacement (New Bridge) at the Whitewater River in the Cities of Palm Springs and Cathedral City, California*. Submitted to California Department of Transportation, District 8. Prepared for the City of Palm Springs Department of Public Works. January.

Thank you,
Joan

Joan Valle
Associate Engineer
Riverside County Flood Control & Water Conservation District
951-955-8856
jvalle@rcflood.org

Please note that I do not work on Fridays

Comment Letter E: Riverside County Flood Control & Water Conservation District, Joan Valle

Response to Comment E-1

As requested, electronic copies of the two reports were provided via email to Joan Valle on August 6, 2015.

WARREN D. WILLIAMS
General Manager/Chief Engineer



1995 MARKLE STREET
RIVERSIDE, CA 92501
951 955 1700
FAX 951 788 9965
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

August 13, 2015

Sent Via Email To: Edward.Robertson@palmssprings-ca.gov

Mr. Edward Robertson
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Robertson:

Re: Comments on the Mitigated Negative
Declaration for the Vista Chino
Low-Water Crossing Bridge
Replacement at Whitewater River Project

The District is submitting this letter in response to the Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study for the Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project.

It is our understanding that the proposed project is construction of a new bridge to replace the existing low-water crossing on Vista Chino at the Whitewater River in Palm Springs and Cathedral City, in Riverside County. The new bridge structure would be approximately 94 feet wide, consisting of a 66-foot wide roadway with four 12-foot wide lanes (two lanes in each direction) separated by a 10-foot wide median and a combined six-foot wide sidewalk and five-foot wide bike lane that would be separated from vehicular traffic by a concrete barrier along either side. The proposed bridge span would be approximately 2,310 feet and the total project limits would be approximately 4,950 feet.

The District has the following comments on the project:

- F-1 1. A portion of the project is located within the District's existing right-of-way. Please be advised that any work that involves District easements, right-of-way, or facilities, such as the demolition of the existing low-water street crossing and the construction of the new bridge, will require an encroachment permit (EP) and/or temporary construction easement (TCE) from the District.
- F-2 2. Prior to issuing an EP and/or TCE, the District will need to ensure that the provisions of CEQA have been met for those portions of the project that occur within our right-of-way. As such, to facilitate the District's CEQA approval process, the District should be listed in the Initial Study as a Responsible Agency on Page 3-1 under "Other Public Agencies Whose Approval Is Required" and also in Table 2-1.
- F-3 3. In order for the District to utilize the City's CEQA document to issue an EP and/or TCE for the project, the Initial Study must fully address all District-related information and/or requirements for the District to make an informed decision. Therefore, the following issues should be addressed in the CEQA analysis:
 - a. **CVMSHCP Consistency Analysis** - The District is a permittee of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). As such, the District has special responsibilities and requirements that must be maintained. Therefore, the Initial Study should clearly state whether or not the project is in compliance with the CVMSHCP, specifically Sections 4.0, 4.4, 4.5 and 9.0.

Mr. Edward Robertson
Re: Comments on the Mitigated Negative
Declaration for the Vista Chino
Low-Water Crossing Bridge
Replacement at Whitewater River Project

-2-

August 13, 2015

- F-4
- b. **References** - The following resources should be added to the list of references included in the Initial Study:
- Coachella Valley Multiple Species Habitat Conservation Plan
 - Floodplain Study and Sediment Transport Analysis Report
 - Location Hydraulic Study Report
 - Summary Floodplain Encroachment Report
 - RCFCO Approval of the Floodplain Study Report
 - CVWD Approval of the Floodplain Study Report
- F-5
- c. **Hydrology and Water Quality** - As explained by the City through email correspondence regarding the project, please confirm and/or expand the analysis under Section IX regarding your email that stated "the roadway and bridge profile was set to accommodate a 4-foot freeboard for Q100 of 47,000 CFS, and a 4-foot freeboard for SPF of 88,000 CFS". In addition, please cite applicable resources used to support the determination that there will be "no impact" on the floodplain.
- F-6
4. When submitting an application to the District for an EP and/or TCE, the following documents related to the environmental review will be required:
- The final and adopted CEQA documents, including applicable technical studies, the Notice of Determination, and proof of payment for the CDFW filing fees; and
 - Permits from federal or state agencies required for the project such as the Corps of Engineers 404, Regional Board 401, or California Department of Fish and Wildlife 1602.

If you have any questions or need additional information please contact Joan Valle at 951.955.8856 or me at 951.955.8581.

Very truly yours,


KRIS FLANIGAN
Engineering Project Manager

cc: Mekbit Degaga
Zully Smith
Deborah de Chambeau
Kony Ghods
Edwin Quinonez

JMV:mcv
P8\172031

Comment Letter F: Riverside County Flood Control & Water Conservation District, Kris Flanigan

Response to Comment F-1.

The Initial Study/Mitigated Negative Declaration (IS/MND) has been updated to include the Riverside County Flood Control and Water Conservation District as a responsible agency where a discretionary approval is required. The IS/MND include a reference to the need for encroachment permit and temporary construction easements that will need to be approved by the Riverside County Flood Control & Water Conservation District. Refer to Discretionary Approvals Required on page 2-8; Table 2-1, Permits and Approvals on page 2-15; and #10, Other Public Agencies Whose Approval Is Required on page 3-1.

Response to Comment F-2

Refer to Response to Comment F-1. The IS/MND has been updated to include the Riverside County Flood Control and Water Conservation District as a responsible agency where a discretionary approval is required. Refer to Discretionary Approvals Required on page 2-8; Table 2-1, Permits and Approvals on page 2-15; and #10, Other Public Agencies Whose Approval Is Required on page 3-1.

Response to Comment F-3

Chapter 3, Section IV.f. of the Final IS/MND has been revised to include the following language:

"The proposed project is a Covered Activity under the CVMSHCP (Section 7.2.3 of the CVMSHCP) and does not occur within or adjacent to an established Conservation Area. The southern "half" of the proposed project occurs within the CVMSHCP and as such would receive take authorization under the CVMSHCP. As the proposed project is not located within or adjacent to a CVMSHCP Conservation Area, the proposed project does not conflict with Conservation Objectives associated with the Reserve System as described under Section 4.0; Land Use Adjacency Guidelines as described under Section 4.5; or Acquisition and Related Protection Actions or Monitoring and Management Actions as described under Section 9.0 of the CVMSHCP. Through the implementation of Measures BIO-1 through BIO-14, as described in Chapter 3, Section IV.a. above, the proposed project would be consistent with applicable avoidance, minimization, and mitigation measures described in Section 4.4 of the CVMSHCP; therefore, no impacts to the efficacy of the CVMSHCP are anticipated."

Response to Comment F-4

References to the reports listed in the comment letter have been added to Chapter 4, References in the IS/MND.

Response to Comment F-5

The proposed low-water crossing replacement project involves construction of a new all-weather multiple-span bridge in the channel. The structure includes a concrete bridge deck, concrete pier columns and concrete abutment walls supporting the bridge. There will be embankment earth fill areas primarily at the roadway approaches beyond both ends of the bridge outside the channel. Both the Coachella Valley Water District (CVWD) and the Riverside County Flood Control and Water

Conservation District (RCFC&WCD) have jurisdiction over the channel. CVWD requires that the channel and the bridge adequately convey the Standard Project Flood (SPF) of 88,000 CFS while RCFC&WCD requires passage of the 100-year flood of 47,000 CFS. CVWD's minimum freeboard requirement is one (1) foot while RCFC&WCD's minimum freeboard requirement is three (3) feet with an additional one (1) foot of freeboard near the proposed bridge crossing. The existing and new concrete slope protection in the vicinity of the bridge abutment supports would be designed to include a cutoff wall that is deep enough to accommodate the calculated scour. The proposed bridge is determined to be a minor obstruction to conveyance of floodwaters and sediment along the Whitewater River and construction of the proposed bridge is not expected to have significant impact to the existing capacity of the local reach to convey flood waters and transport sediment. The design determination has been approved by the flood control agencies of CVWD and RCFC&WCD.

The information in the IS/MND is based on responses to the questions posed in the California Environmental Quality Act IS Checklist. The project will likely have some level of impact on the floodplain, however, this impact would be minor and based on the studies conducted it will not result in a significant impact on floodplains. In terms of the CEQA Checklist questions, the project would not 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 and would not 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 dam or levee. Furthermore, although structures may be placed within the 100-year floodplain these structures would not impeded or redirect flows based on the analyses conducted. Therefore, based on this information the project would have no effect on floodplains in terms of the items referenced in the CEQA Checklist.

Response to Comment F-6

Comment noted. The City of Palm Springs will submit the requested technical studies, Notice of Determination, proof of payment for the California Department of Fish and Wildlife Filing fees, and applicable permits from federal and state agencies when applying for the Encroachment Permit and the temporary construction easements.



Nena McCullough
Local Public Affairs
38100 Cathedral Canyon Drive
Cathedral City, CA 92234

August 13, 2015

Edward Robertson, Principal Planner
City of Palm Springs
3200 East Tahquiltz Canyon Way
Palm Springs, CA 92262
Edward.Robertson@palmsspringsca.gov

RE: Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project (MND)

Dear Mr. Robertson:

Southern California Edison (SCE) appreciates the opportunity to review and provide comments on the Initial Study/Mitigated Negative Declaration (IS/MND) for the Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project. The City of Palm Springs (City), in coordination with the City of Cathedral City and the California Department of Transportation (Caltrans), is proposing to replace the existing low-water crossing along Vista Chino at the Whitewater River with a newly constructed bridge. The new bridge would replace the existing roadway.

G-1

Page 2-7 of the IS/MND discusses relocation of SCE's existing 115 kilovolt (kV) transmission line on the south side of the roadway, one overhead distribution line on the north side of the roadway, and an underground electric line. The Initial Study only mentions two distribution lines (one overhead and one underground) of the five distribution lines that extend across the Whitewater River north of Vista Chino. The IS/MND should clarify if all five distribution lines will be relocated as part of the proposed project.

G-2

SCE must comply with General Order (GO) 95, which establishes rules and regulations for the overhead line design, construction, and maintenance. GO 95 also includes vertical and horizontal clearance requirements from thoroughfares and the ground. Increasing the elevation of the new bridge may require SCE to increase the 115 kV pole heights. Also, if distribution lines are placed onto the same 115 kV poles, the height of the poles may be increased further. The Aesthetics Section of the IS/MND and visual stimulations in Appendix A may not accurately describe and represent the pole heights of the relocated 115 kV transmission line. Please contact Carolyn Hensley from SCE's Transmission Project Delivery Project Management Department to discuss and coordinate the relocation of SCE's facilities. You may contact Ms. Hensley at (909) 820-5532 or Carolyn.Hensley@sce.com.

G-3

SCE's Right-of-Way and Access Roads
SCE's rights-of-way and fee-owned properties are purchased for the exclusive use of SCE to operate and maintain its present and future facilities. SCE will review any proposed use on a case-by-case basis. Approvals or denials will be in writing based upon compatibility with SCE right-of-way constraints and rights. Please forward five (5) sets of plans depicting SCE's facilities and associated land rights to the following location:

Real Properties Department
Southern California Edison Company
2131 Walnut Grove Avenue, G.O.3 – Second Floor
Rosemead, CA 91770

August 13, 2015
Vista Chino Bridge (MND)
Page 2 of 2

If you have any questions, please contact me at Nena.McCullough@sce.com or (760) 202-4231.

Regards,

Nena McCullough

Nena McCullough
Local Public Affairs Region Manager
Southern California Edison Company

cc: Carolyn Hensley, SCE
Karen Cadavona, SCE

Comment Letter G: Southern California Edison, Nena McCullough

Response to Comment G-1

The Initial Study/Mitigated Negative Declaration (IS/MND) has been updated to identify that of five Southern California Edison (SCE) electric distribution lines will need to be relocated onto the proposed bridge or to the transmission line south of the bridge.

Response to Comment G-2

The following has been added to the Project Description in the IS/MND in order to provide additional clarification:

"Relocation of the high voltage transmission overhead lines will comply with California Public Utilities Commission General Order 95, which establishes rules and regulations for the overhead line design, construction and maintenance. The height of the relocated transmission power poles will be adjusted to accommodate the raised roadbed and the addition of distributions lines. Coordination with the utility owners will be made to determine prior rights, relocation responsibility, right-of-way easements and maintenance access."

The City will coordinate with Carolyn Hensley at SCE regarding the utility relocations.

Response to Comment G-3

Five copies of the plans will be submitted as requested to SCE. The following sentence has been added to the Project Description in the IS/MND in order to provide additional clarification:

"Coordination with the utility owners will be made to determine prior rights, relocation responsibility, right-of-way easements and maintenance access."

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AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-006-2012-006

July 15, 2015

[VIA EMAIL TO:Edward.Robertson@palmspringsca.gov]
City of Palm Springs
Mr. Edward Robertson
P.O Box 2743
Palm Springs, CA 92263-2743

Re: Vista Chino Low-Crossing Bridge

Dear Mr. Edward Robertson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Vista Chino Low-Crossing Bridge Replacement project. We have reviewed the documents and have the following requests:

H-1

*Before ground disturbing activities begin please contact the Tribal Historic Preservation Office at 760-699-6907 to arrange cultural monitoring.

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

Cordially,

Pattie Garcia
Director
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

5401 DINAH SHORE DRIVE, PALM SPRINGS, CA 92264
T 760 699 6800 F 760 699 6924 WWW.AGUACALIENTE.NSN.GOV

Comment Letter H: Agua Caliente Band of Cahuilla Indians, Pattie Garcia

Response to Comment H-1

The City will notify the Tribal Historic Preservation Officer prior to ground disturbance and will arrange for cultural monitoring. This is consistent with measure **CR-3** in the Initial Study/Mitigated Negative Declaration (IS/MND) which states: "A Native American Monitor shall be present during all ground-disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. The City will contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval."

RECEIVED
AUG 10 2015
PLANNING SERVICES
DEPARTMENT

Comment Letter i



August 5, 2015

Attn: Edward Robertson, Principal Planner
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project

I-1

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. At this time the Soboba Band does not have any specific concerns regarding known cultural resources in the specified areas that the project encompasses, but does request that the appropriate consultation continue to take place between the tribes, project proponents, and government agencies.

I-2

Also, working in and around traditional use areas intensifies the possibility of encountering cultural resources during any future construction/excavation phases that may take place. For this reason the Soboba Band of Luiseño Indians requests that approved Native American Monitor(s) be present during any future ground disturbing proceedings, including surveys and archaeological testing, associated with this project. The Soboba Band recommends that you contact the Agua Caliente Band of Cahuilla Indians and other tribes that are closer to the project area. In the event that future monitoring does become necessary and a monitor from the Agua Caliente Band of Cahuilla Indians is not able to be retained, cultural monitors from the Soboba Band of Luiseño Indians will be available.

Sincerely,

Joseph Ontiveros
Cultural Resource Director
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Comment Letter I: Soboba Band of Luiseño Indians, Joseph Ontiveros

Response to Comment I-1

Thank you for your interest in the project. Ongoing coordination with the Agua Caliente Band of Cahuilla Indians and the Soboba Band of Luiseño Indians will be conducted as pertinent project information becomes available.

Response to Comment I-2

Caltrans and the Cities of Palm Springs and Cathedral City have contacted the Agua Caliente Band of Cahuilla Indians regarding the project. The Agua Caliente THPO has reviewed the Draft HPSR and associated documents. The Agua Caliente THPO requested that prior to the start of ground disturbing activities, the Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office be contacted to arrange for a Native American monitor. The City will notify the Tribal Historic Preservation Officer prior to ground disturbance and will arrange for cultural monitoring. This is consistent with measure **CR-3** in the Initial Study/Mitigated Negative Declaration (IS/MND) which states: "A Native American Monitor shall be present during all ground-disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval." If a monitor from the Agua Caliente Band of Cahuilla Indians is not available then the Soboba Band of Luiseno Indians will be contacted to provide a monitor; however, this is not anticipated.

ATTACHMENT 5

Mitigation Monitoring and Reporting Program

Introduction

The California Public Resources Code, Section 21081.6(a)(1), requires that a lead or responsible agency adopt a mitigation monitoring plan when approving or carrying out a project when an IS/MND identifies measures to reduce potential adverse environmental impacts. As lead agency for the proposed project, the County is responsible for adoption and implementation of the mitigation monitoring plan.

An IS/MND for the project has been prepared to address the potential environmental impacts and, where appropriate, recommend measures to mitigate these impacts. As such, a mitigation monitoring plan is required to ensure that the adopted mitigation measures are successfully implemented. This plan lists each mitigation measure, describes the methods for implementation and verification, and identifies the responsible party or parties.

Project Overview

The City, in coordination with Cathedral City and Caltrans, is proposing to replace the existing low-water crossing along Vista Chino at the Whitewater River with a newly constructed bridge. The project is located in the City of Palm Springs, County of Riverside, California. The new bridge would replace the existing roadway, which is currently a low-water crossing. The purpose of the proposed project is to improve traffic circulation and emergency access within Palm Springs and Cathedral City during storm events.

The new bridge structure would be approximately 94 feet wide, consisting of a 66-foot-wide roadway with four 12-foot-wide lanes (two lanes in each direction) separated by a ten-foot-wide median and a combined six-foot-wide sidewalk and five-foot-wide bike lane that would be separated from vehicular traffic by a concrete barrier along either side). The proposed bridge would be approximately 23.5 feet above the channel bed at the highest point and 9.75 feet above the channel bed at the lowest point. The bridge would span approximately 2,310 feet of the existing Vista Chino crossing at the Whitewater River, running between two existing concrete-lined flood control levees on the west and east river banks. The levee on the east bank consists of a buried concrete-slope cutoff wall. The proposed bridge structure would be either a precast concrete girder or a cast-in-place concrete box girder supported on multiple-column bents. The bridge cross-section would be consistent with the City's cross-section for a Major Thoroughfare, which is the current classification of Vista Chino in the City's Circulation Element of the General Plan. The new hardscape with roadway and bridge improvements would be extended from approximately the intersection of Clubhouse View Drive to a point 450 feet east of the east levee. In addition, there would be striping and signage work beyond the hardscape limit from Gene Autry Trail to Carmela Drive. Therefore, total project limits would be approximately 4,950 feet.

The proposed project would also require relocation of the following utilities:

- An underground Southern California Edison (SCE) electric distribution line would either be relocated onto the proposed bridge or to the transmission lines south of the bridge;

- A Sprint fiber optic line would be relocated onto the proposed bridge;
- A Verizon underground line would be relocated onto the proposed bridge;
- A Time Warner overhead cable would be relocated onto the proposed bridge;
- The existing SCE 115-kilovolt (kV) transmission poles located south of the existing roadway would be relocated approximately 80 feet south of the right-of-way. A new 40-foot-wide SCE easement would be located south of the proposed bridge structure and at the eastern end of the project limits to accommodate relocation of SCE's electric overhead transmission lines and poles.
- Five of SCE's distribution overhead lines and poles located north of Vista Chino would be removed and either relocated onto the proposed bridge or to the south side of Vista Chino, on the relocated SCE 115 kV transmission poles.

Relocation of the high voltage transmission overhead lines shall comply with California Public Utilities Commission General Order 95, which establishes rules and regulations for the overhead line design, construction and maintenance. The height of the relocated transmission power poles should be adjusted to accommodate the raised roadbed and the addition of distributions lines. Coordination with the utility owners should be made to determine prior rights, relocation responsibility, right-of-way easements and maintenance access.

To accommodate the new bridge, temporary construction easements (TCEs) could be located on parcels along both sides of Vista Chino, both east and west of the Whitewater River, as follows:

- North of Vista Chino: Assessor's Parcel Numbers (APNs) 677040030, 677040031, 677030030, 677030031, 677183018, 677183026, 677183027, 677183039, and 677183040.
- South of Vista Chino: APNs 677250025, 6772500055, 677250057, 677250059, 677250065, 675040004, 675370016, and 675370017.

Three existing billboards located north of Vista Chino would most likely lose visibility as a result of the new bridge and be relocated or raised as part of the project. A TCE and permanent easement on Indian lands would need to be processed through the U.S. Bureau of Indian Affairs (BIA). The approval of these easements and right-of-way are subject to discretionary actions by the BIA. A construction staging area could be located north of the roadway, east of Executive Drive (APN 677040030). The proposed project does not include any permanent partial or full property acquisitions. Slope and drainage easements would be required on the following APNs: 677250057, 677250065, 677040031, 677250025, 677030031, and 6755040004.

The project site would be fenced during construction with access limited to construction personnel and other authorized personnel only. Nighttime lighting on site during construction would be limited, providing only lighting necessary for safety and security. The project would comply with the construction hours specified in the City of Palm Springs Municipal Code Section 11.74.031 and Cathedral City Municipal Code Section 11.96.070. Noise control will conform the provisions in Caltrans' Standard Specifications in Section 14-8.02, "Noise Control" state : "Do not exceed 86 dBA at 50 feet from the job site activities from 9 p.m. to 6 a.m. Equip an internal combustion engine with the manufacturer recommended muffler. Do not operate an internal combustion engine on the job site without the appropriate muffler."

Monitoring and Reporting Procedures

The mitigation monitoring plan for the proposed project will be in place through all phases of the project, including design, construction, and operation. The City will be responsible for administering the mitigation monitoring plan and ensuring that all parties comply with its provisions. The City may delegate monitoring activities to staff, consultants, or contractors. The City will also ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems.

Mitigation Monitoring and Reporting Program Implementation

Table G-1 lists each mitigation measure included in the draft MND. Certain inspections and reports may require preparation by qualified individuals and these are specified as needed. The timing and method of verification for each measure are also specified.

Table G-1. Mitigation Monitoring and Reporting Program Summary

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
Aesthetics				
AES-1	<p>In order to ensure that impacts remain less than significant, the proposed project design intends to adhere to the design requirements set forth in the approved bridge aesthetics package (Appendix A of the Visual Impact Assessment). The elements of the proposed bridge have been given careful consideration, and each element has received special treatment to enhance design qualities to offset or minimize impacts on the aesthetic resources of the project areas. Each is described below and illustrated in the approved bridge aesthetics package (Appendix A of the Visual Impact Assessment). The following design elements will be incorporated into the final roadway and bridge design in coordination and cooperation with the Caltrans District and Structures Local Assistance.</p> <p><i>Bridge Barrier and Railings Enhancements</i></p> <p>The designs of the inner bridge barriers are comprised of several elements, including embossed graphics that convey movement as they proceed along the length of each series of barrier panels. Pedestrian lighting is embedded in the middle of each graphic sequence. Type 80 barriers with fenestration will be used between the sidewalks and the travel lanes. It should be noted that there is no other lighting associated with this project.</p> <p><i>Bridge Barrier and Integrated Public Art</i></p> <p>The bridge barrier and railings are further enhanced by the</p>	Final Design	The design elements will be incorporated into the final roadway and bridge design in coordination and cooperation with the Caltrans District and Structures Local Assistance.	City of Palm Springs/ Caltrans District and Structures Local Assistance.

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	<p>vertical array of dual-color tubular steel posts that will provide color and rhythm along the entire length of the bridge. This aesthetic component of the bridge is a series of primarily nine-foot high, four-sided, four-inch square tube steel vertical elements painted in two colors, which enhance the rhythmic feel of the design with the incremental rotation of the vertical elements. The ends of the bridge start with eleven incrementally shorter posts down to about handrail level. The post arc (are bent) nine degrees and each post is rotated six degrees, the effect being a colorful array or vertical wave that appears to move back and forth. These post arc modules continue across the entire bridge, include the aforementioned embedded decorative bridge barrier, which displays a simple design depicting 'movement'.</p>			

AIR QUALITY

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
AQ-1	SCAQMD Rule 403 (403.1 specific to the Coachella Valley): A Dust Control Plan shall be prepared and implemented during all construction activities, include ground disturbance, grubbing, grading, and soil export.	Prior to the issuance of building permits/ During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
AQ-2	SCAQMD Rule 402: The project shall adhere to a nuisance odor requirement.	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
AQ-3	All off-road construction equipment should utilize aqueous diesel fuels and oxidation catalysts, as feasible.	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
AQ-4	All construction equipment should be properly serviced and maintained in optimal operating condition.	During any grading and construction	City of Palm Springs will review site plans	City of Palm Springs and

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
		activities (implement)	to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	Construction Contractor
AQ-5	Construction equipment should not be left idling for more than five minutes.	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
AQ-6	Active grading and site disturbance shall be limited to a maximum of five acres per day, and all exposed surfaces shall be watered up to three times daily	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
AQ-7	On-site landscaping shall utilize xeriscape/desert landscaping techniques, incorporating native and other drought-tolerant plants and boulders and gravel to minimize water demand.	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of	City of Palm Springs and Construction Contractor

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
			these measures as appropriate. The construction contractor will implement measure.	
AQ-8	On-site lighting should utilize energy efficient technology such as sensors, timers, and LED to minimize energy demand from lighting	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
AQ-9	Incorporate pedestrian and bicycle paths, and public transit routes that provide seated shaded bus stop areas along Vista Chino Drive	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
AQ-10	As feasible, construction waste should be recycling to reroute waste from landfills and minimize the project's contribution to the landfill	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The	City of Palm Springs and Construction Contractor

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
			construction contractor will implement measure.	
AQ-11	Any ornamental trees or mesquite removed during construction of the proposed project will be replaced at a 1:1 ratio. These trees will be planted along the new banks (within the project's limits of disturbance) of the Whitewater River. This will help to reestablish sand stability on the banks of the Whitewater River. An arborist or landscape architect will monitor tree installation and recruitment to ensure tree survival. Planted trees will include native plants (i.e. mesquite) and may not include species on the Cal-IPC invasive plant inventory (i.e. olive tree).	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
BIOLOGICAL RESOURCES				
BIO-1	Replacement of Suitable Habitat for Special-status Species. Section 7 consultation with USFWS will be necessary for Coachella Valley milk-vetch and Coachella Valley fringe-toed lizard. A minimum 1:1 ratio will mitigate for impacts on these species suitable habitat on Tribal lands. This can be combined with Measure BIO-2 .	Section 7 consultation to be completed prior to approval of environment document. After approval of project and prior to construction	Caltrans to initiate Section 7	Caltrans and City of Palm Springs
BIO-2	Fee Payment for Impacts on Tribal Lands. To be consistent with the Agua Caliente Tribal HCP, fee payment at a 1:1 ratio will be required for impacts on the tribe's land.	After approval of project and prior to construction	City of Palm Springs to make payment following project approval.	City of Palm Springs

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-3	<p>Regular Watering for Dust Control. Active construction areas will be watered regularly to control dust and minimize impacts on adjacent vegetation. Within land subject to the Tribal HCP, if at any time, significant amounts of dust or material are determined by the Tribe to be affecting conserved habitat, then corrective measures would be taken immediately. If dust control watering extends for a period of 12 months or more within land subject to the Tribal HCP, the monitoring biologist will report to the Tribe any observation that watering activities are encouraging encroachment by non-native species. The Tribe will determine appropriate corrective measures to be implemented as necessary to protect conserved habitat.</p>	<p>During any grading and construction activities (implement)</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Palm Springs and Construction Contractor</p>
BIO-4	<p>Firefighting Equipment and Preparation. Appropriate firefighting equipment (e.g., extinguishers, shovels, water truck) will be available on the project site during all phases of project construction to help minimize the chance of construction-related wildfires, along with personnel trained in the use of such equipment. Shields, protective mats, and/or other fire preventative methods will be used during grinding, welding, and other spark-inducing activities. Smoking will be prohibited within and adjacent to flammable vegetation.</p>	<p>During any grading and construction activities (implement)</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Palm Springs and Construction Contractor</p>

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-5	<p>Environmental Training for All Construction Personnel. An employee education program will be developed. A qualified biologist will conduct an environmental awareness training for all project personnel (including temporary, contractors, and subcontractors) prior to staging or grading activities. Any new project personnel that begin work after this initial training session shall receive the environmental awareness training within two weeks of working on the proposed project. Project personnel will be advised of the potential impact to the listed species and the potential penalties associated with take of such species. The training will include a description of the special-status species that would potentially occur, their ecology and sensitivity to human activities, the legal protection afforded these species, penalties for violations of federal and state laws, reporting requirements, and the project measures that are being implemented to reduce the impacts to these species and promote continued successful occupation once construction is completed, and the access routes and project site boundaries within which the project activities must be accomplished. In addition, the education program will include color photographs of the listed species and will also be shown to all employees. Photographs will also be posted in the contractor and resident engineer office, where they will remain through the duration of construction activities. The contractor, resident engineer, and USFWS-approved biological monitor will be responsible for ensuring all employees are aware of the listed species.</p>	<p>Training to be implemented prior to construction. To be implemented during any grading and construction activities (implement)</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Palm Springs and Construction Contractor</p>

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-6	<p>Presence of a Biological Monitor during Construction Activities. A biological monitor that has been approved by the USFWS and is permitted to handle CVFTL and collect CVMV seeds will be present during construction activities for the duration of the proposed project to ensure that all practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside of the project limits. Special attention will be provided to ensure that the Environmentally Sensitive Area (ESA) (in Measure BIO-7, below) exclusion fencing is installed correctly and maintained daily (this includes repairing fencing and removing sand build up to exclude reptiles from entering the project area). Additionally, ongoing monitoring and reporting will occur for the duration of construction activities to ensure implementation of BMPs.</p>	<p>During any grading and construction activities (implement)</p> <p>Fencing to be installed prior to construction.</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Palm Springs and Construction Contractor</p>
BIO-7	<p>BIO-7: Installation of ESA Fencing. Construction limits will be demarcated using ESA exclusion fencing, which will be installed by construction personnel under supervision of a biological monitor that has been approved by the USFWS. Construction personnel will strictly limit their activities, vehicles, equipment, and construction materials to the project footprint and designated staging areas and routes of travel. The construction area(s) will be the minimal area necessary to complete the proposed project and will be specified in the construction plans. The ESA exclusion fencing will be reviewed daily by the biological monitor this includes repairing fencing and removing sand build up to exclude reptiles from entering the project area (as indicated in</p>	<p>Fencing to be installed prior to construction. Fencing to be maintained during any grading and construction activities.</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Palm Springs and Construction Contractor</p>

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	<p>Measure BIO-6) until the completion of all construction activities, or at a regular interval as determined in coordination with USFWS and CDFW. Construction personnel will be instructed that their activities are restricted to construction areas. Within land subject to the Tribal HCP, if proposed project impacts encroach beyond the approved project footprint, designated staging areas, and routes of travel, such impacts will be compensated at a 5:1 ratio within one year of the unauthorized disturbance. Any restoration mandated by the Tribe for infringements outside of the approved project footprint will require a restoration plan, to be approved by the Tribe.</p>			

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-8	Removal of Exotic Plant Species. Any exotic species that are removed during construction will be properly handled to prevent sprouting or regrowth. In addition, plant species included on Cal-IPC's California Invasive Plant Inventory and in Table 3-2 (Prohibited Invasive Ornamental Plants) of the Tribal HCP will be prohibited from inclusion in proposed project plantings.	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Palm Springs and Construction Contractor
BIO-9	Clean Construction Equipment of Mud and Debris. Construction equipment will be cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds before mobilizing to the site and before leaving the site during the course of construction. Cleaning of equipment will occur at least 300 feet from ESA fencing in a designated area.	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	Construction Contractor
BIO-10	Guidance on Removal and Disposal of Vegetation. Trucks carrying loads of vegetation that will be removed from the project site will be covered and disposed of in accordance with applicable laws and regulations.	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	Construction Contractor

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-11	<p data-bbox="365 337 1094 443">Measure BIO-11: Best Management Practices for Erosion Control and Water Pollution. Applicable BMPs will be implemented. These may include but are not limited to:</p> <ul data-bbox="390 467 1094 1393" style="list-style-type: none"> <li data-bbox="390 467 1094 573">• Water pollution and erosion control plans will be developed and implemented in accordance with RWQCB requirements. <li data-bbox="390 597 1094 914">• equipment storage, fueling, and staging areas will be located at sites with minimal risks of direct drainage into surface waters and to minimize impacts on Tribal HCP Covered Species and their habitat. Project-related spills of hazardous materials will be reported to appropriate entities, including but not limited to the City and/or RWQCB, and will be cleaned up immediately and contaminated soils removed to approved disposal areas. <li data-bbox="390 938 1094 1076">• To avoid attracting wildlife to the project site, the construction will be kept as clean of debris as possible. All food-related trash items will be enclosed in sealed containers and regularly removed from the site(s). <li data-bbox="390 1101 1094 1312">• to reduce attraction of ravens and crows or other predatory wildlife, which may eat CVTFL, the construction area will be kept as clean of debris as possible. All food-related trash items will be enclosed in sealed raven-proof containers and promptly removed from the site(s). <li data-bbox="390 1336 1094 1393">• no pets or firearms will be permitted inside the construction boundaries or other associated work 	During any grading and construction activities (implement)	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	Construction Contractor

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	<p>areas.</p> <ul style="list-style-type: none"> lands within the LOD that are not developed or need to remain above grade will be returned to natural topography. 			

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-12:	<p>Pre-construction Exclusion Survey. A pre-construction survey for Coachella Valley fringed-tailed lizard will be performed by a qualified biologist(s) concurrently during placement of the ESA exclusion fencing. The purpose of this survey is to find any special-status reptiles (e.g., Coachella Valley fringe-toed lizard and Flat-tailed horned lizard) that may occur and relocate them outside the project area. The personnel conducting the survey must be authorized to handle the range of reptiles found such that the individual reptiles can be placed on the non-project side of the ESA exclusion fencing (Measure BIO-7).</p>	<p>Prior to construction. Survey to be done concurrently during placement of the ESA exclusion fencing.</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Pam Springs</p>
BIO-13:	<p>Night Lighting. Within land subject to the Tribal HCP, lighting will be placed, shielded, and directed away from conserved habitat to avoid impacts on Covered Species (Tribal HCP Section 4.9.3.1).</p>	<p>During any grading and construction activities (implement)</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>Construction Contractor</p>
BIO-14	<p>Take Avoidance Burrowing Owl Survey. To determine if burrowing owl are occupying the project limits or adjacent areas prior to construction, a take avoidance survey following CDFW protocol (2012) will be conducted no less than 14 days prior to initiating ground disturbance activities. In addition, any time lapses between project activities would trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance. The survey will be conducted from civil twilight</p>	<p>Prior to construction</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Pam Springs</p>

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	<p>to 10 a.m. or two hours before sunset until evening civil twilight within areas providing suitable habitat for burrowing owl. The survey will include the proposed project limits and a 300-foot buffer if performed between February 15 and August 31 (nesting season) and a 100-foot buffer if conducted outside of the nesting season. If burrowing owls are present within 300 feet of project activities during the breeding season or within 100 feet of project activities outside of the nesting season, Measure BIO-15 or BIO-16 will be implemented, as applicable.</p>			

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-15	<p>Avoidance of Burrowing Owl during the Nesting Season. If burrowing owl are found during pre-construction take avoidance surveys (Measure BIO-14) during the nesting season, the burrowing owl will be fully avoided by establishing an appropriate buffer in coordination with CDFW (minimum of 300 feet), where feasible.</p>	Prior to construction	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Pam Springs
BIO-16:	<p>Passive Relocation of Burrowing Owl. If burrowing owls are found during pre-construction take avoidance surveys outside of the nesting season, passive relocation by a qualified ornithologist will be conducted once it has been confirmed that pairing activities have not begun. Passive relocation efforts will be conducted in coordination with the Tribe (if on land subject to the Tribal HCP) and CDFW (such as the use of one-way doors). If the burrowing owl is found to be paired and exhibiting potential nesting behavior, construction disturbance will not occur within 300 feet of the active burrow(s) until it is confirmed by the ornithologist that the pair is not nesting and that young are not present, or if present are independently foraging.</p>	Prior to construction	City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.	City of Pam Springs

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-17	<p>Coachella Milkvetch Seed Collection. Prior to construction activities, a biological monitor that has been approved by the USFWS, will collect CVMV seeds from within the proposed project's impact area. Seed collection will occur when the seed is past soft dough and prior to being naturally dispersed. The top four inches of soil surrounding the identified plants will be collected and placed in plastic bags. This seed and soil will be distributed immediately following collection to locations pre-determined by USFWS and Caltrans. As CVMV flowering times range from February to May, a reference population will be checked for seed set prior to seed collection.</p>	Prior to construction	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	City of Pam Springs
BIO-18	<p>If a federal and/or state listed species is found within the BSA during any of the proposed pre-construction surveys that was not previously detected within the BSA, the USFWS and/or CDFW (as appropriate based on species) will be notified immediately and project-related construction activities will not begin within an appropriate buffer determined through coordination with these agencies, until appropriate measures have been determined.</p>	Prior to construction	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	City of Pam Springs

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
BIO-19	<p>Preconstruction Nesting Bird Survey. Construction work will be initiated outside of the migratory bird breeding season (March 1 through August 31) and the CVFTL active season (approximately March through October), to the greatest extent feasible. If work cannot be conducted outside of the migratory bird nesting season, a preconstruction survey for migratory nesting birds will occur within three days prior to construction activities by an experienced ornithologist. The survey will occur within all suitable nesting habitat within the project impact area and a 300-foot buffer. If nesting birds are found, a minimum 50-foot avoidance area will be established around the nest until a qualified ornithologist has determined that young have fledged or nesting activities have ceased. The size of the avoidance area will be determined by a qualified biologist, and will range from 50 feet for non-special status species up to 300 feet for raptors.</p>	<p>Prior to construction</p> <p>Avoidance area to be maintained during any grading and construction activities.</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Pam Springs</p>
BIO-20	<p>Preconstruction Bat Survey. To prevent impacts on daytime bat roosts and maternity roosts, a qualified biologist will be retained to conduct bat and bat roosting site surveys prior to commencement of mature tree removal activities. This pre-construction survey will be conducted at any mature tree proposed for removal and within 100 feet of the disturbance limits. If roosting sites or bats are not found, a report confirming their absence will be sent to the CDFW, and no further mitigation will be required.</p> <p>If the pre-construction survey finds bats to be roosting, and tree removal is scheduled to occur between October 1 and March 30 (outside of the maternity season of April 1 through</p>	<p>Prior to construction</p>	<p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	<p>City of Pam Springs</p>

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	<p>September 30), the bats will be evicted by the following methods. Eviction of bats will be conducted using bat exclusion techniques, developed by Bat Conservation International (BCI) and in consultation with CDFW. These techniques allow the bats to exit the roosting site but prevent re-occupation of the site. Where applicable for tree roosts, the following two-step cutting process would occur: Surrounding branches that do not house bats at the time that the eviction would occur would be removed as step one. This would alter the condition of the roost tree, causing bats to abandon the roost. The tree can then be fully removed as step two. A visual inspection of the roost tree would be required prior to removal to verify that all bats have been successfully excluded. This work will be completed by a bat exclusion professional.</p> <p>If the pre-construction survey finds bats to be roosting and tree removal is scheduled to occur during the maternity season (April 1 through September 30), a qualified biologist will monitor the roost to determine if the roost site is a maternal roost. This may be determined by either visual inspection of the roost for bat pups, if possible, or monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats will be evicted as described above. If the roost is determined to be a maternal roost, eviction of a maternal roost cannot occur during the nursery season, as bat pups cannot leave the roost until they have reached maturity. In this case, a 250-foot-wide buffer zone (or an alternative width, as determined in consultation with CDFW) will be established around the roosting site, within which no</p>			

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	construction-related impacts will occur until the bat pups are mature enough to permanently leave the roost.			

CULTURAL RESOURCES

CR-1:	If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist can assess the nature and significance of the find.	During all ground disturbing activities and construction	The City of Palm Springs and Contractor will review site plans to ensure incorporation of these measures as appropriate.	City of Palm Springs and Construction Contractor
CR-2	Cultural Resources Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presences of cultural resources identifiable on the ground surface.	Prior to start of any ground disturbing activity	City of Palm Springs to employ qualified archaeologist	City of Palm Springs
CR-3	A Native American Monitor shall be present during all ground-disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural	During all ground disturbing activities and construction	The City of Palm Springs and Contractor will review site plans to	City of Palm Springs and Construction

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.		ensure incorporation of these measures as appropriate.	Contractor
CR-4	Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.	The City of Palm Springs will provide copies of reports prior to final inspection.	The City of Palm Springs will provide copies of reports prior to final inspection.	City of Palm Springs
CR-5	If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities would cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner would notify the NAHC, who would then notify the Most Likely Descendent (MLD). Further provisions of PRC 5097.98 are to be followed as applicable.	During all ground disturbing activities and construction	The City of Palm Springs and Contractor will review site plans to ensure incorporation of these measures as appropriate.	City of Palm Springs and Construction Contractor
HAZARDS AND HAZARDOUS MATERIALS				
HAZ-1:	Soil excavations conducted on-site will be monitored (by the construction contractor) for visible soil staining, odor, and the possible presence of unknown hazardous-material	During Grading/Construction	City of Palm Springs will review site plans to ensure	City of Palm Springs and Contractor

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
HAZ-2:	<p>sources, such as buried 55-gallon drums and underground tanks (although not anticipated). If hazardous material contamination or sources are suspected or identified, an environmental professional will evaluate the course of action required. This course of action will include following the Unknown Hazards Procedures found in Chapter 7 of the California Department of Transportation's Construction Manual, dated August 2006. A copy of these procedures can be found at: http://www.dot.ca.gov/hq/construc/manual2001/chapter7/chp7_1.pdf</p> <p>Wastes and petroleum products used during construction will be collected, transported, and removed from the project site in accordance with the Resource Conservation and Recovery Act regulations and federal Occupational Safety and Health Administration (OSHA) standards. All hazardous waste will be stored, transported, and disposed as required in Title 22, California Code of Regulations (CCR), Division 4.5 and 49 CFR 261-263.</p>	During Grading/Construction	<p>incorporation of these measures as appropriate. The construction contractor will implement measure.</p> <p>City of Palm Springs will review site plans to ensure incorporation of these measures as appropriate. The construction contractor will implement measure.</p>	City of Palm Springs and Contractor
HYDROLOGY AND WATER QUALITY				
WQ-1:	<p>During the construction of the Vista Chino Bridge Project, the City of Palm Springs will implement the specific requirements of the California NPDES Construction General Permit, and the U.S. EPA Construction General Permit. A project-specific SWPPP will be developed and the practices and control measures therein will be implemented on-site during construction activities in order to control, reduce, or eliminate discharge of pollutants to the Whitewater River.</p>	Prior to construction activities and implemented during demolition, grading and construction.	Prior to demolition, The construction contractor will implement measures that address the requirements identified in this mitigation measure.	City of Palm Springs and Construction Contractor

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
WQ-2	<p>The SWPPP will include, but is not limited to, housekeeping practices, waste management, hazardous waste management, non-stormwater management, spill prevention and clean up procedures, erosion controls, sediment control, training, inspections, and monitoring requirements.</p> <p>Storm Drain Stenciling (SD): Storm Drain Stenciling BMP shall be in accordance with CASQA New Development and Redevelopment BMP SD-13 Storm Drain Signage or the equivalent City of Palm Springs Standard.</p>	<p>Prior to construction activities and implemented during demolition, grading and construction.</p>	<p>The construction contractor will implement measures that address the requirements identified in this mitigation measure.</p>	<p>City of Palm Springs and Construction Contractor</p>
WQ-3	<p>Slope and Channel Protection (SD): Slope and Channel Protection BMP shall be in accordance with CASQA New Development and Redevelopment BMP SD-10 Site Design and Landscape Planning or the equivalent City of Palm Springs Standard.</p>	<p>Prior to construction activities and implemented during demolition, grading and construction.</p>	<p>The construction contractor will implement measures that address the requirements identified in this mitigation measure.</p>	<p>City of Palm Springs and Construction Contractor</p>
WQ-4	<p>Creation of Additional Pervious Area (SD): Creation of Additional Pervious Areas BMP shall be in accordance with CASQA New Development and Redevelopment BMP SD-10 Site Design and Landscape Planning or the equivalent City of Palm Springs Standard.</p>	<p>Prior to construction activities and implemented during demolition, grading and construction.</p>	<p>The construction contractor will implement measures that address the requirements identified in this mitigation measure.</p>	<p>City of Palm Springs and Construction Contractor</p>
WQ-5	<p>Street Sweeping (SC): Street Sweeping BMP shall be in accordance with City of Palm Springs Maintenance Requirements and Frequencies.</p>	<p>To be implemented during demolition, grading and</p>	<p>The construction contractor will implement measures</p>	<p>Construction Contractor</p>

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
		construction.	that address the requirements identified in this mitigation measure.	
WQ-6	Employee Training (SC): Employee Training BMP shall be in accordance with City of Palm Springs Requirements.	Prior to construction	City of Palm Springs to hold training prior to start of construction	City of Palm Springs and Construction Contractor
WQ-7	Litter Control (SC): Litter Control BMP shall be in accordance with City of Palm Springs Maintenance Requirements and Frequencies.	To be implemented during demolition, grading and construction.	The construction contractor will implement measures that address the requirements identified in this mitigation measure.	Construction Contractor
WQ-8	Storm Drain Inspection and Maintenance (SC): Storm Drain Inspection and Maintenance BMP shall be in accordance with City of Palm Springs Maintenance Requirements and Frequencies.	To be implemented during demolition, grading and construction.	The construction contractor will implement measures that address the requirements identified in this mitigation measure.	City of Palm Springs and Construction Contractor
NOISE				
NOI-1	Comply with the construction hours specified in the City of Palm Springs Municipal Code Section 11.74.031 and Cathedral City Municipal Code Section 11.96.070.	To be implemented during all demolition, grading and construction activities.	The construction contractor will comply with the requirements identified in the	Construction Contractor

Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
NOI-2	Noise control will conform the provisions in Caltrans' Standard Specifications in Section 14-8.02, "Noise Control" state : "Do not exceed 86 dBA at 50 feet from the job site activities from 9 p.m. to 6 a.m. Equip an internal combustion engine with the manufacturer recommended muffler. Do not operate an internal combustion engine on the job site without the appropriate muffler."	Prior to construction activities and implemented during demolition, grading and construction.	cities' municipal code. The construction contractor will implement noise reduction measures that address the requirements identified in this mitigation measure.	Construction Contractor

TRANSPORTATION/TRAFFIC

TRF-1	<p>Prepare and implement a Traffic Management Plan (TMP). The TMP will be provided to emergency service providers and school officials with construction plans prior to commencement of construction. The following will be included in the TMP or carried out in coordination with the TMP.</p> <ul style="list-style-type: none"> • Implement a construction management program that maintains access to and from the project area community through signage, detours, flagmen, etc. • Coordinate with emergency services providers to ensure that alternative response routes to and from the project area community are in place during construction of the proposed project. • Provide access to all fire hydrants along all access routes and provide and maintain fire department vehicle access roads along project site. • Consult with local school officials to identify safe 	Prior to the issuance of construction permits	The City of Palm Springs will approve a Traffic Management Plan that addresses the requirements identified in this measure.	City of Palm Springs to prepare TMP and Construction Contractor to implement during construction.
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Mitigation Measure No.	Mitigation Measures	Timing of Implementation	Method of Implementation	Responsible Party
	<p>vehicular routes and pedestrian crossing for students traveling to and from schools in the project area community during construction of the proposed project.</p> <ul style="list-style-type: none"> • Coordinate with the utility providers for relocation of utility lines and inform the utility users in advance about the date and timings of service disruptions. • Prepare temporary detour plans during the Plans, Specifications, and Estimates (PS&E) phase of project development, and implement them during construction. • Provide notification to be sent to emergency service providers, local school officials, and any residents that may be substantially affected by any street closures (including partial and/or full closures) or traffic diversions at least two weeks in advance of the planned closure or diversion. 			

ATTACHMENT 6

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AND ORDERING THE FILING OF A MITIGATED NEGATIVE DECLARATION FOR THE VISTA CHINO LOW-WATER CROSSING BRIDGE REPLACEMENT AT WHITEWATER RIVER PROJECT, CITY PROJECT NO. 10-10, FEDERAL AID PROJECT NO. NBIL (513)

WHEREAS, the City of Palm Springs (“City”) proposes replacement of the existing 4-lane “at grade” low-water crossing on Vista Chino through the Whitewater River with a new elevated “all-weather” bridge to improve traffic circulation and emergency access within Palm Springs and Cathedral City during storm events; and

WHEREAS, the project has been described as the Vista Chino Low-Water Crossing Bridge Replacement, City Project No. 10-10, Federal Aid Project No. NBIL (513), (hereinafter the “Project”); and

WHEREAS, the Project is listed on the 2010 Transportation Project Prioritization Study (TPPS) and is therein listed as a backbone project; and

WHEREAS, the Project is listed on the Southern California Association of Governments (“SCAG”) 2015 Federal Transportation Improvement Program (“FTIP”) as Project ID# RIV090405, adopted by the Southern California Association of Governments (“SCAG”) on September 11, 2014, and approved for air quality conformity by the Federal Highway Administration (“FHWA”) on December 15, 2014; and

WHEREAS, the Project is consistent with the Circulation Element of the 2007 Palm Springs General Plan Update, which identifies Vista Chino as a “Major Thoroughfare” and the 2009 Cathedral City General Plan, which identifies Vista Chino as an “Arterial Highway”; and

WHEREAS, the Project implements the goals and policies of the General Plans of the Cities of Palm Springs and Cathedral City; and

WHEREAS, an Initial Study was prepared pursuant to the provisions of the California Environmental Quality Act (“CEQA”), Division 13 of the Public Resources Code of the State of California, beginning with §21000 (hereinafter “Act”); and

WHEREAS, pursuant to Section 21152 of the Act, a public notice announcing circulation and availability of the Initial Study and intent to adopt a Mitigated Negative Declaration (“MND”) was published in the *Desert Sun* on July 15, 2015, and a Notice of Opportunity for Public Hearing, was filed with the California Governor’s Office of Planning and Research–State Clearinghouse and Planning Unit, (the “State Clearinghouse”), as SCH# 2015071038; and

WHEREAS, the Initial Study/Mitigated Negative Declaration (“IS/MND”) was circulated for public comment from July 15 through August 13, 2015; and

WHEREAS, by close of the public comment period on August 13, 2015, there were no requests for a Public Hearing submitted in response to the IS/MND; and

WHEREAS, pursuant to Section 15202 of the CEQA Guidelines, Title 14, Division 6, Chapter 3, Article 13 "Review and Evaluation of EIRs and Negative Declarations", of the California Code of Regulations, CEQA does not require formal hearings at any stage of the environmental review process, and public comments may be restricted to written communications; and

WHEREAS, the IS/MND prepared for the Project has concluded, and following public review, it has been determined that the Project will not have a significant impact on the environment with the adoption of avoidance, minimization, and mitigation measures identified in the MND; and

WHEREAS, the City Council has carefully reviewed and considered all of the evidence presented in connection with the Project, including, but not limited to, the staff report, the IS/MND, and all written and oral testimony presented.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1: The above recitals are all true and correct.

Section 2: The City Clerk of the City of Palm Springs is hereby designated the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council has based its decision. The custodian of the documents is located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

Section 3: Pursuant to Section 15073 of the CEQA Guidelines, a Mitigated Negative Declaration ("MND") of environmental impact was prepared and circulated for a 30-day public review period ending on August 13, 2015. The Mitigated Negative Declaration adequately analyzes the general environmental setting of the Project, its potentially significant environmental impacts, mitigation measures related to each potentially significant environmental impact on the Project, and has determined that there are no potentially significant impacts associated with the Project.

Section 4: The Project implements the following policy of the City of Palm Springs General Plan:

Policy CR2.5: Construct all-weather bridge crossings along Indian Canyon Drive, Gene Autry Trail, and Vista Chino and the Whitewater River to reduce traffic problems caused by flooding and blowsand.

As stated in the Project's Statement of Purpose of Need, the Project will accomplish the following:

- Provide an all-weather crossing for Vista Chino across the Whitewater River to allow uninterrupted access into and out of the City when flooding and debris flows occurs within the Whitewater River;

- Improve emergency access into and out of the City during flood events within the Whitewater River which cause the other two at-grade crossings at Indian Canyon Drive and Gene Autry Trail to be closed; and
- Decrease delays and improve travel time along Vista Chino and Ramon Road, which is used an alternative route during flooding events when Vista Chino is closed. The decrease in delays and improved travel time reduces travel cost.

Section 5: The City Council has carefully reviewed and considered all of the evidence presented in connection with the Project, including, but not limited to, the staff report, the Initial Study and public comments received, the proposed Mitigated Negative Declaration, the proposed Mitigation Monitoring and Reporting Program, and all written and oral testimony presented. The City Council further finds that on the basis of the entire Project record, there is no substantial evidence that the Project will have a significant impact on the environment and that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.

NOW, THEREFORE, BE IT RESOLVED, that based upon the foregoing, and pursuant to Section 15074 of the CEQA Guidelines, Title 14, Division 6, Chapter 3, Article 6 "Negative Declaration Process", of the California Code of Regulations, the City Council adopts and orders the filing of a Mitigated Negative Declaration, and approves the Mitigation Monitoring and Reporting Program for the Vista Chino Low-Water Crossing Bridge Replacement at Whitewater River Project, City Project No. 10-10, Federal Aid Project No. NBIL (513).

ADOPTED this 13th day of January, 2016.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. ____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on January 13, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California