

**The City of Palm Springs Animal Care Facility  
Mitigated Negative Declaration**



**Prepared by**

**The City of Palm Springs  
September 2009**

## ENVIRONMENTAL CHECKLIST FORM

**1. Project title:**

3.3369-MAJ – City of Palm Springs Animal Care Facility

**2. Lead agency name and address:**

The City of Palm Springs, CA  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92263

**3. Contact person and phone number:**

Edward O. Robertson  
Principal Planner  
760 323 8245

**4. Project location:**

4575 East Mesquite Avenue, Palm Springs, CA

**5. Project sponsor's name and address:**

Al Smoot  
The City of Palm Springs, CA  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92263  
(760) 322.8368

**6. General plan designation:**

Open Lands / Recreation Parks

**7. Zoning:**

Present zoning is "O" (Open Lands).

**8. Description of project:** *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)*

The project is a proposal by the City of Palm Springs to construct a one-story animal care facility that will include holding and treatment spaces. The proposed shelter is approximately 19,210 square foot building; a 4,855 square foot adoption courtyard; and a 1,183 square foot classroom courtyard. The project site will occupy approximately three (3) acres out of an overall 20-acre parcel acquired by the City. The proposed shelter will function as an indoor/outdoor facility for animals; administration areas, holding and exercise areas, animal control work areas, animal training room, staff lounge, staff courtyard and socialization areas are provided as well.

The project also includes the determination that the not-to-exceed four acre site for the proposed animal shelter, which is a portion of a 20-acre parcel acquired by the City and land-

banked for retention ponds and sewer treatment facilities; be utilized as an animal shelter and that the City sewer enterprise fund be appropriately compensated for the animal shelter use of the site.

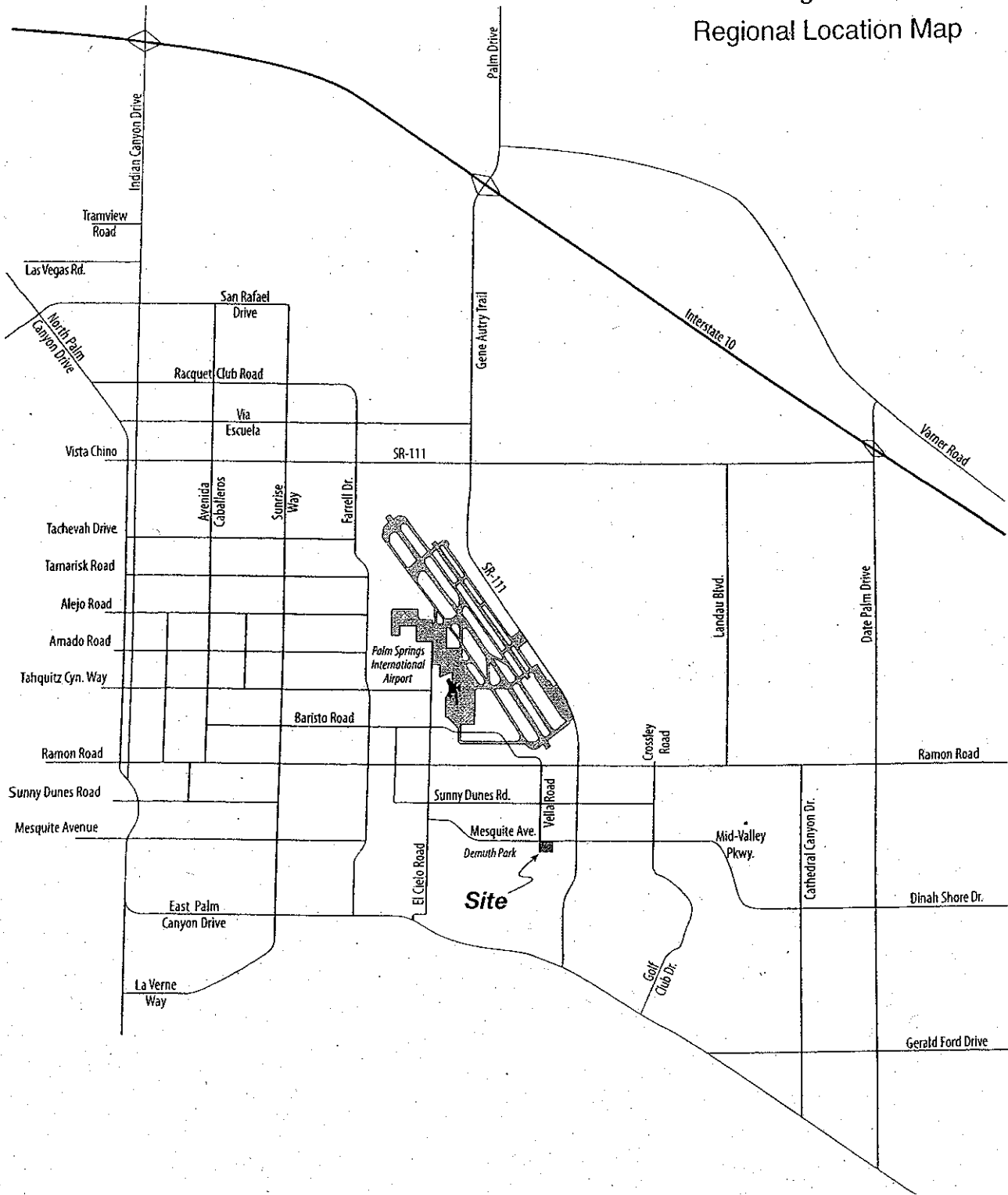
**9. Surrounding land uses and setting:** *Briefly describe the project's surroundings:*

The approximately 3-acre site is bounded on the north by Mesquite Avenue and; on the west by Vella Road. There is an existing recycling center at the southern portion of the parcel; the west of the site is vacant.

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

None

Figure 1  
Regional Location Map



Scale: 1" = 5,000'

Figure 2  
Study Area and Key Intersection

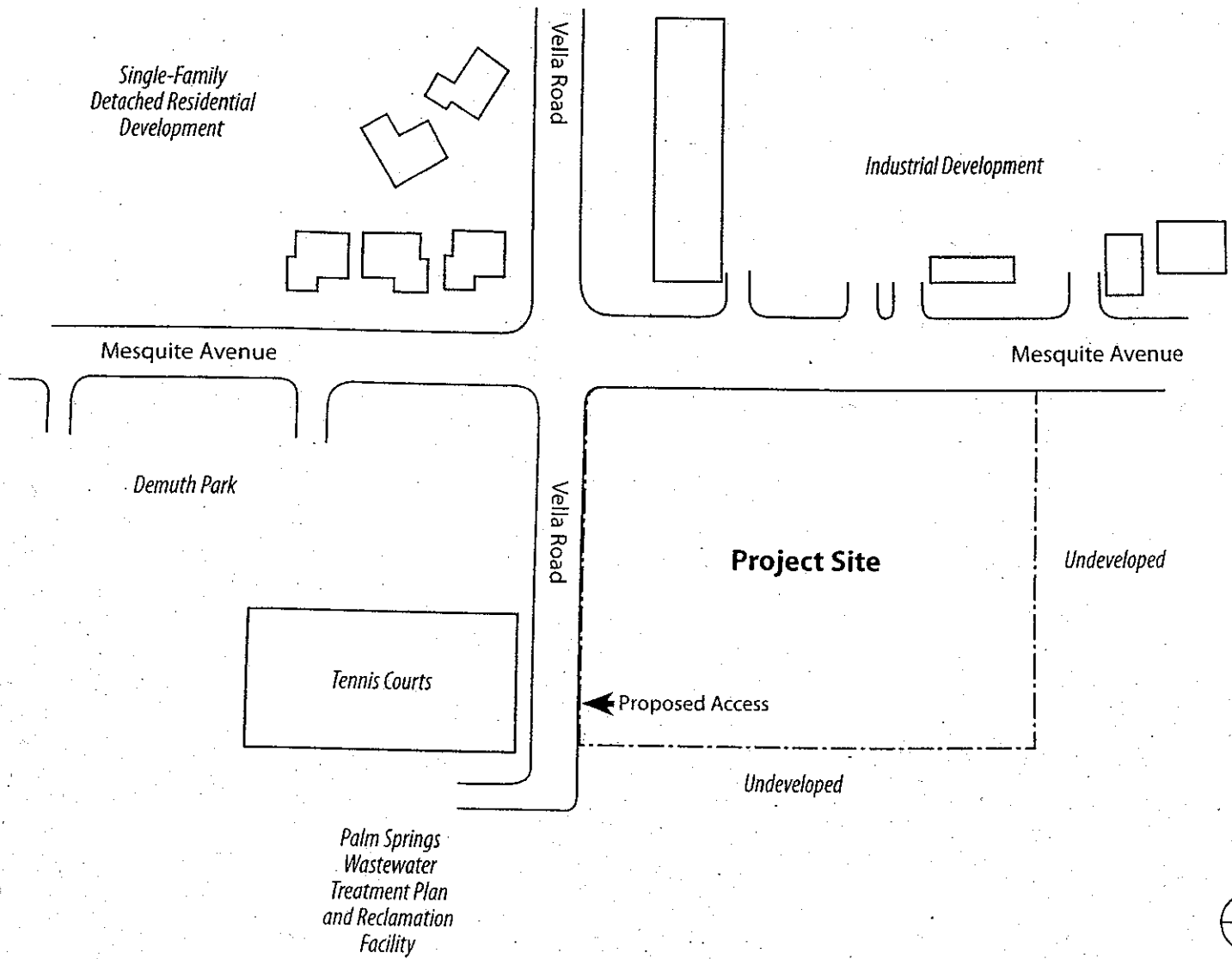
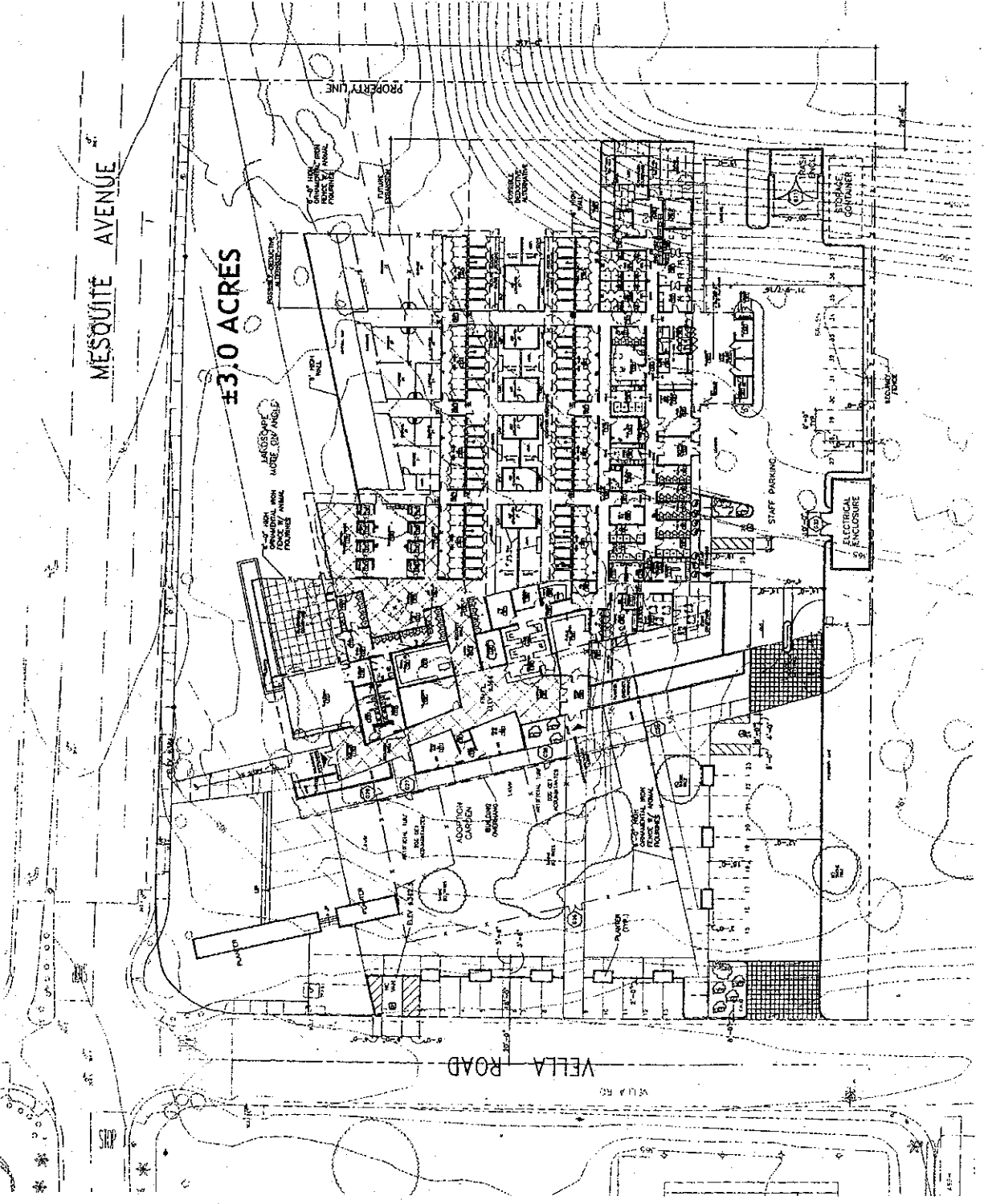


Figure 3  
Conceptual  
Development Plan



Scale: 1" = 66'

SWATT/Miers Architects, June 15, 2009

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources             | <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

EDWARD O. ROBERTSON

Project Planner

9.1.09

Date

Edward O. Robertson

Edward O. Robertson  
Principal Planner

9.1.09

Date



**EVALUATION OF ENVIRONMENTAL IMPACTS:**

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

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance

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

a) **No Impact** - The proposed project site is situated on a roughly 20-acre parcel; however the animal shelter will occupy only three acres of the overall parcel. The subject site has relatively low elevation with scattered vegetation, trees, boulders and other debris. The structure's height is proposed at approximately twenty four (24) feet, which is allowed by-right-of-zone and is similar in size to other buildings in the area, therefore there is no impact to scenic vistas. Upon completion, this project will enhance the aesthetic quality of the immediate surrounding.

b) **No Impact** - There are no valuable scenic resources on the property; there are low growing vegetation, trees and boulders on the property, the landscape architect has indicated that the trees will be kept as part of the new landscape scheme for the project.

c) **No Impact** - The proposed facility will not degrade the existing visual character of the immediate area, the site is currently vacant, the surrounding development are a recycling center to the south, a sewer district to the east, a public park to the west and residential development to north. The proposed architecture and the overall site design of the facility will be an improvement to the area.

d) **No Impact** - As with every new development, this project will produce a new source of light in the immediate area, however, Section 93.21.00 (Outdoor lighting standards) of the Palm Springs Zoning Code regulates the types, kinds, construction, installation and all outdoor illuminating devices, and lighting practices within the city. This project will adhere to the City's standards in terms of light intensity, height and appropriate scale relative to the site. Therefore, the new animal shelter's lighting would not adversely affect day or nighttime views in the area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>II. AGRICULTURE RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** The Farmland Mapping and Monitoring Program of the California Resources Agency have not designated this area as a Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No impact on farmland would occur as a result of the proposed animal care facility.
- b) **No Impact:** Currently Williamson Act Contracts are not located on the parcel comprising the project site. Furthermore, no Williamson Act Contracts are located in the immediate vicinity of the project site (Williamson Acts Contracts) of the Palm Springs General Plan EIR (Palm Springs, 2007). The proposed project will not cause any impact with existing zoning for agricultural use or a Williamson Act Contract.
- c) **No Impact:** The proposed project site is located within an Open Space "O" zoned area. This zoning designation is not reserved for farming or agricultural purposes. Implementation of the proposed project would therefore not result in conversion of farmland to non-agricultural uses.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCQAMD Governing Board adopted the 2007 Air Quality Management Plan (AQMP) in June, 2007. The 2007 AQMP updates the attainment demonstration for federal standards for ozone, PM10 and PM2.5; this plan replaces the 2003 attainment demonstration for the federal carbon monoxide (CO) standard and provides a basis for a maintenance plan for CO for the future; and updates the maintenance plan for the federal nitrogen dioxide (NO2) standard that the South Coast Air Basin has met since 1992.

The project site is located within the Salton Sea Air Basin, which has been designated by the California Air Resources Board as non attainment for ozone and PM10. The violations of the air quality standards for ozone are primarily due to pollutant transport from the South Coast Air Basin.

An Air Quality Impact Study prepared by Endo Engineering dated August 2009, was requested for and submitted to the Planning Department as part of the Environmental Analysis for the Animal Care Shelter. The Air Quality Impact Study focused on the discovery of any air quality impacts that would be associated with the project. In its executive summary, the study made several determinations, recommendations and conclusions that will be relied upon by staff to include conditions of approval and mitigation measures to be incorporated into the proposed animal care facility. According to the analysis provided by the study, given the proximity of sensitive receptors in Demuth Park and the residential community northwest of the site, a range of additional actions is recommended for consideration and incorporation in the Fugitive Dust Control Plan and the construction specifications associated with the proposed project, if feasible, to reduce local air pollutant emissions. The air quality impact study concluded that that the *"inclusion of all feasible mitigation measures in the project will minimize, to the greatest extent feasible, potential air quality impacts attributable to the proposed project"*. In addition to the recommendations for conditions and mitigation measures, the study also made the following conclusions regarding air quality setting in and around the project location:

1. The Salton Sea Air Basin has been designated by the U.S. EPA as serious non attainment for ozone (8-hour standard) and for PM10.
2. Between 2006 and 2008, ozone levels exceeded the state one-hour standard (0.09 ppm) on ten percent of the days monitored in Palm Springs and two percent of the days monitored in Indio. The maximum one-hour ozone concentration measured was 0.13 parts per million (ppm) in Palm Springs and 0.11 ppm in Indio. The ozone concentration in Palm Springs exceeded the state standard by 44 percent. No ozone episodes were declared at either air monitoring station.
3. Eight-hour ozone levels exceeded the national one-hour standard on 16 percent of the days monitored in Palm Springs and 8 percent of the days monitored in Indio. The maximum eight-hour ozone concentration measured exceeded the standard by 45 percent in Palm Springs and 27 percent in Indio. The 2007 *South Coast and Coachella Valley 8-Hour Ozone Plan* projects attainment by the year 2024.
4. PM10 concentrations exceeded the California 24-hour standard on 12 days in Palm Springs and on 86 in Indio. The maximum 24-hour PM10 concentration monitored in Palm Springs was 222 micrograms per cubic meter (more than four times the state standard). In Indio, the maximum 24-hour PM10 concentration monitored was 211 micrograms per cubic meter.
6. Daytime winds in this area are predominantly onshore winds from the northwest that blow in the opposite direction of sensitive residential receptors, which are located northwest of the project site.

#### **Air Quality Impact Analysis:**

1. The proposed project appears to include conforming uses on the project site; therefore, the project appears to be consistent with the population and employment growth projections that form the basis of the *Air Quality Management Plan* and the *Regional Growth Management Plan*.
2. Construction activities undertaken to implement the proposed project will cause temporary increases in localized emissions and concentrations of criteria pollutants and greenhouse gases in the project vicinity.
3. With the mitigation incorporated in the proposed project, none of the SCAQMD thresholds of significance are projected to be exceeded during construction activities.
4. Since PM10 concentrations are of concern in the Coachella Valley and residential development exists in the project vicinity, a Fugitive Dust Control Plan will be submitted for approval identifying all mitigation measures incorporated in the construction specifications.
5. Project-related motor vehicle and area source emissions are not projected to exceed any of the SCAQMD long-term operational emission significance threshold criteria.
6. Based upon a carbon monoxide "hot spot" analysis, year 2011 and year 2030 carbon monoxide levels are not projected to exceed state or federal CO standards at the adjacent intersection with or without project-related traffic. Therefore, the proposed project will not interfere with the attainment of the state 1-hour or 8-hour carbon monoxide standards by either exceeding them or contributing to an existing or projected violation at sensitive receptor locations. The proposed project will not expose sensitive receptors to substantial pollutant concentrations.
7. The proposed project is consistent with the City's air quality goals and policies, as set forth in the *Palm Springs General Plan*, and will not conflict with or obstruct implementation of the applicable Air Quality Management Plan.

8. The proposed project will not create objectionable odors affecting a substantial number of people.
9. The proposed project would incrementally contribute to global warming through the combustion of fossil fuels during construction and operation.
10. Cumulative construction emissions generated over the short-term by the proposed project in conjunction with other development in the project vicinity are not projected to exceed the SCAQMD significance threshold criteria.
11. The proposed project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors.
- a) **No Impact.** The proposed development is for the construction of a one story, approximately 25,248 square feet animal care facility. The project site is designated for the land use proposed, and is therefore consistent with the City's General Plan. The project is not expected to create objectionable odors affecting a substantial number of people. Therefore, the project is not anticipated to conflict with or obstruct implementation of 2007 AQMP. There will be no impact.
- b,c) **Less Than Significant With Mitigations Incorporated.** The proposed project is not anticipated to violate any current air quality standard; furthermore, the animal care facility is not anticipated to make substantial contribution to an existing or projected air quality violation; the recommended mitigations will be adequate in preventing any violations. All the construction emissions generated over the short-term by the proposed project along with other development in the project vicinity are not projected to exceed the SCAQMD significance threshold criteria.
- d,e) **Less Than Significant With Mitigations Incorporated.** The facility itself is setback enough from potential sensitive receptors located at the northwest portion of the site. The air quality at the project site could be affected by two primary sources: pollutants generated by construction, and emissions from vehicles traveling to and from the site. The potential impacts associated with the former will be primarily temporary; the latter could be long-term operational impacts. The construction of the animal care facility will disturb approximately three acres of land; a Fugitive Control Plan consistent with Chapter 8.50 of the City's Municipal Code will be reviewed by the Engineering Department prior to commencement of grading activities at the site.

The City's requirements for PM10 management will be strictly enforced; a PM10 Management Plan that will include requirements such as site watering, soil stabilization, tire washing and other measures to assure that impacts associated with dust generation at the project site are reduced to a level below SCAQMD thresholds. Because of the design materials proposed for the animal care shelter, and its distance to the residential development to the northwest of the site, it is highly unlikely that the proposed project will create objectionable odors affecting a substantial number of people.

#### Mitigation Measures

The following mitigation measures will be incorporated in the proposed project to mitigate potentially significant adverse project-related air quality impacts during construction activities to less-than-significant levels. These measures would be imposed on the project as conditions of approval.

- MM III-1** The City's Fugitive Dust Control Ordinance (Chapter 8.5 of the Municipal Code) requires a Dust Control plan which shall be submitted to the City Engineer for approval and which shall include but not be limited to the following:

- A. Adequate watering techniques shall be employed to partially mitigate the impact of construction generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day.
  - B. The wheels and the lower portions of transport trucks shall be sprayed with water before they leave the construction area.
  - C. Any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the amount of open space subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize blowsand.
  - D. Grading activity shall be suspended when local winds exceed 25 miles per hour and during the first and second smog alerts.
  - E. Construction access roads shall be paved as soon as possible and cleaned after each workday.
  - F. All trucks hauling dirt, sand, soil, or other loose dirt material shall be covered or have 2 feet of freeboard.
  - G. A short-term stabilization plan shall be included in the plan for after hours and weekends. The applicant shall forward the plan to the Southern California Air Quality Management District (SCAQMD) after approval.
- 
- MM III-2** The project proponent shall notify the City and SCAQMD 24 hours prior to the initiation of earth moving activities.
  - MM III-3** The City shall notify the SCAQMD within 10 days of the completion of earth moving activities.
  - MM III-4** Construction signage in conformance with City standards shall be posted on Vella Road and Mesquite Avenue regarding the reporting of blowing dust on the site.
  - MM III-5** Earth moving operations shall include a water application system while earth moving is active.
  - MM III-6** Construction equipment shall be properly maintained and serviced to minimize exhaust emissions.
  - MM-III-7** Construction access roads shall be paved as soon as possible and cleared after each workday.
  - MM-III-8** Paving activities and use of equipment for construction of buildings shall not be used concurrently.
  - MM III-9** All exposed surfaces shall be watered twice daily;
  - MM III-10** Speeds on all unpaved surfaces shall be reduced to less than 15 mph
  - MM III-11** Low VOC architectural coatings shall be used on the interior and exterior of the animal shelter.



- MM III-12** The project shall provide secure bicycle racks and a shower to encourage cycling to/from the facility and reduce vehicle miles traveled by private automobile and associated air pollutant emissions.
- MM III-13** The design and construction specifications shall promote energy efficiency which exceeds Title 24 of the Uniform Building Code and the use of sustainable building practices on-site such as Leadership in Energy and Environmental Design (LEED)
- MM III-14** The project will be required to implement blowsand reduction measures.

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

- a) **No Impact** - The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The proposed project site is located in an Open Lands "O" area of Palm Springs; there are no known sensitive habitats on the subject site. Therefore, the project would not result in impacts to endangered, threatened, or rare species or their habitats.
- b) **No impact** - The site is not identified as having any natural community that could be affected by the project. Therefore, the project would not have an adverse effect on any riparian habitat or other sensitive natural community.
- c) **No Impact** - The site does not contain any wetland areas or waters. Section 404 of the Clean Water Act regulates the dredge and/or fill of waters and wetlands in the United States, specifically relating to how these activities may cause an adverse effect to, or loss of, federal wetland/water resources.

Regulatory responsibility falls under the jurisdictional authority of the U.S. Army Corps of Engineers (ACOE). Under Section 404, any development or activity which may result in temporary or permanent impacts to these federally-protected resources must prepare a Pre-Construction Notification for review, and potential permitting, by the ACOE. The site does not contain any wetland areas or waters. Therefore, no impact to federally protected wetlands as defined by Section 404 would occur.

- d) **No Impact** - The project site is located within a previously disturbed site, with existing infrastructure. There are no corridors or suitable habitat for migratory or wildlife species on the site. No impact is anticipated.
- e) **No Impact** - The project does not propose any removal or disturbance of sensitive biological resources or landmark trees. Therefore, no conflicts with local policies or ordinances protecting biological resources would occur, causing no impact.
- f) **No Impact** - The City of Palm Springs has adopted a Habitat Conservation Plan; if it is determined that the project site falls within affected area, the required mitigation fees will be paid to CVAG. Therefore, the project would have no significant impact on adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plans.

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

(a,c) **No Impact** – The subject site is vacant, and has been previously disturbed when the recycling center to the south of the property was built. A walk through of the site did not indicate the presence of any historical resource on the surface; however, the Agua Caliente Band of Cahuilla Indians are known to have utilized a vast territory beyond the bounds of the existing reservation. And due to the proximity of Tribal lands, there is the potential for previously undiscovered cultural resources to be discovered during the project construction and site grading activities. Tribal interests in such previously undiscovered resources prescribe the following Conditions of Approval:

1. An Archeologist qualified according to the Secretary of Interior's Guidelines shall perform a record search of the proposed project are, to be conducted prior to the initiation of construction.
2. A Cultural Resource Monitor, designated by the Agua Caliente Cultural Resource Office, shall be present during all ground-disturbing activities. Should buried deposits be encountered, the Cultural Resources Monitor shall have the authority to halt construction and notify a Qualified Archeologist (Secretary of the Interior's Standards and Guidelines) to prepare a mitigation plan for submission to the City, State Historic Preservation Officer and the Agua Caliente Cultural Resource coordinator for approval and any repatriation of cultural materials to be done in cooperation with the Agua Caliente Band of Cahuilla Indians.

Adherence to the Conditions of Approval identified above will ensure potential impacts to cultural resources are not significant.

(b,d) **Less than Significant With Mitigation Incorporated** - Again because the Agua Caliente Band of Cahuilla Indians utilized a vast territory beyond the bounds of the existing reservation, the possibility of finding human remains does exist in this area. In accordance with Public Resources Code 5.097.94, if human remains are found, the Riverside County Coroner must be notified within 24 hours of the discovery. If the coroner determines that the remains are not recent, the coroner will notify the Native American Heritage Commission in Sacramento to determine the most likely descendants for the area. The designated Native American representative then determines in consultation with the property owner the disposition of the human remains. The following mitigation measures shall be implemented to assure that any potential significant impacts to buried resources are reduced to less than significant

levels. Also, implementation of mitigation measures will assure that potential impacts to cultural resources are reduced to less than significant levels.

**Mitigation Measures**

- MM V-1** A(n) Approved Cultural Resource Monitor(s) as indicated by the Agua Caliente Tribal Historic Preservation Office shall be present during any survey and/or ground disturbing activities.
- MM V-2** Should cultural resources be encountered during site construction in any portion of the site, work shall immediately cease and a qualified archaeologist shall be contacted to evaluate the significance of the materials. Any significant findings shall be documented and presented to the State Historic Preservation Office (SHPO), Bureau of Indian Affairs (BIA), the Agua Caliente Band of Cahuilla Indians and the City, and shall be resolved to their satisfaction.
- MM V-3** Copies of any cultural resources documentation generated in connection with this project shall be given to the Agua Caliente Band of Cahuilla Indians for inclusion into the Agua Caliente Cultural Register.

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

a) i) **No Impact.** The majority of Riverside County lies within areas subject to seismic hazards. The subject site lies south of the Banning Fault Mission Creek Strand. The site is not located within an Alquist-Priolo earthquake hazard zone and there are no known faults crossing the project site. However, the project site, as with virtually all sites within the state, would be vulnerable to ground shaking in the event of an earthquake. The project site and surrounding vicinity are relatively flat, eliminating the potential for landslides. The City of Palm Springs General Plan requires that the project be designed and constructed in accordance with the requirements of the Uniform Building Code (UBC). Adherence to the provisions of the UBC would reduce the potential for structural damage in the event of an earthquake. Therefore, no impact would occur.

ii) Any major earthquake damage in the City of Palm Springs is likely to occur from ground shaking and seismically related ground and structural failures. Local soil conditions, such as topography, soil strength, thickness, density, water content, and firmness of underlying

bedrock affect seismic response. Seismically induced shaking and some damage should be expected to occur but damage should be no more severe in the project area than elsewhere in the region. Therefore, no impact would occur.

iii) There are no known geological hazards caused by ground failure or liquefaction which would prevent use of the site. Therefore, no impact would occur.

iv) The ground is level and approval of the project would not expose people or structures to potential landslides. Therefore, no impact would occur.

- b) **Less Than Significant Impact.** Some soil erosion is expected during construction, but loss of topsoil is not a significant issue. Soil erosion due to water will be a required component of the erosion control plans required by the City in conjunction with the grading permit for the project. The impacts associated with water erosion will be less than significant.
- c) **No Impact.** The proposed site and its immediate surroundings are relatively flat; furthermore, the site has been previously disturbed due to construction activities on the southern portion of the site. Most importantly, the project will be designed in accordance with existing City standards and with the requirements of the Uniform Building Code (UBC). Adherence to the provisions of the UBC will reduce any potential for landslide, lateral spreading or collapse of the proposed structure.
- d) **Less Than Significant Impact.** Soils in the subject site appear to be in the "very low" expansion category; a geotechnical report will be submitted to the Public Works Dept. prior to grading activities at the site.
- e) **No Impact.** The proposed project site is located in a developed, urban area currently served by the City of Palm Springs wastewater disposal system. Also, the proposed project will require a soils report to be submitted to the Departments of Building and Safety and Engineering to ensure the integrity of required sewer connections. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-b) **No Impact.** The proposed project site is currently vacant. The subject property is not included in the list of hazardous material sites compiled pursuant to Government Code Section 65962.5, nor is it known to have previously been a hazardous materials site. The proposed animal care facility is not expected to create a significant hazard to the public or the environment. Therefore, there would be no significant impact.

c-d) **No Impact.** The project site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. The proposed site and structure will house animals that are not



likely to emit hazardous emissions or wastes capable of causing adverse effect to the public and the environment. The location is not within one-quarter mile of an existing school; no impact would occur as a result of the animal care facility.

- e-f) **No Impact.** The nearest airport is the Palm Springs International Airport located at Gene Autry Trail; the project site is approximately 0.5 miles from the airport. The proposed building will not exceed obstruction standards and would not be a hazard to air navigation. The proposed project is located within the "B1" and "C" zones of the Riverside County Airport Land Use Compatibility Plan. ALUC requires a maximum height of 50 feet in the B1 and C zones, the proposed animal shelter has a maximum height of 23.6 feet in height, there will be no impact.
- g) **No Impact.** The City of Palm Springs Emergency Plan was established to address planned response to extraordinary emergency situations associated with natural disasters and technological accidents. The Plan focuses on operational concepts relative to large-scale disasters, which can pose major threats to life and personal property requiring unusual emergency response. The proposed project will have no impact on the City's ability to implement the Plan.
- h) **Less Than Significant Impact.** The location of the proposed animal care facility is within a developed area of low fire risk, there are no wildlands that could cause fires; the risk of exposing people or structures to a significant loss or death involving wildland fires is very minimal; the parcel has very gentle sloping features with few vegetations and shrubs on the southern portion of the site. Additionally, the City's Fire Department will review and recommend necessary conditions to ensure that adequate access is available for emergency response. It is determined that a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact.** The project would be required to meet all applicable water quality standards or waste discharge requirements thereby avoiding violation of such standards or requirements. The project site is within an area with approved storm-water run-off facilities. Furthermore, a Water Quality Management Plan will be required prior to grading activities to ensure that post construction urban runoff is adequately addressed. Therefore, no changes to approved drainage patterns are anticipated.

- b) **Less Than Significant Impact.** The development of the animal care facility is highly unlikely to incrementally increase groundwater consumption based on the size and use of the project site. The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. There would be no impact as a result of this project.
- c-e) **Less Than Significant Impact.** There is an existing retention basin planned and designed to handle stormwater drainage and runoff water for the overall 20-acre site. The existing drainage pattern of the area would not be altered as results of this project neither will it increase the amount or the rate of surface runoff that could cause flooding in the area. This project would not alter the course of any stream or river, as none are located on-site or in the immediate vicinity of the site. Therefore, there is a less than significant impact with the proposed project.
- f) **No Impact.** There are no additional impacts to water quality anticipated as the project is not expected to substantially degrade water quality.
- g-h) **No Impact.** The Federal Emergency Management Agency (FEMA) indicates in the Flood Insurance Rate Map for the project site area, that the site is not within the 100-year floodplain. Because the project is not located within the 100-year floodplain flooding impacts associated with the proposed project are not considered significant.
- i) **No Impact.** The Palm Springs General Plan Environmental Impact Report does not identify flooding as a result of levee or dam failure as having a potential to expose people or structures to a significant risk of loss, injury or death in the City of Palm Springs. Therefore, no impact would occur.
- j) **No Impact.** The City of Palm Springs is not located in an area subject to seiche, tsunami, or mudflow. Therefore, no impact would occur.

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

- a) **No Impact.** The proposed animal care facility would not physically divide an established community since the subject site is currently vacant and surrounded mostly by non residential uses. The proposed project is on a site that is consistent with the property development standards of the designated zone and does not propose any further subdivision of land.
- b) **No Impact.** The proposed project would be consistent with the allowable uses within the Open Land "O" land use designation, which allows for governmental public facilities and functions. Pursuant to Section 92.21.01(A)(5) of the City's zoning code, the proposed use can be adopted by the Planning Commission as an acceptable use within the Open Land zoning designation. No other land use plans or regulations are applicable to the proposed project site. Therefore, no impact would occur.
- c) **No Impact.** The project would not conflict with an applicable habitat conservation plan or natural community conservation plan. No impact would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X: MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **No Impact.** No significant mineral resources have been identified in the project area. The Palm Springs General Plan EIR (Palm Springs, 2007) did not identify any mineral resources in the planning area. Therefore, no impact to mineral resources would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a, b, c, d, e, f) Less Than Significant Impact With Mitigation:**

A Noise Impact Study dated August 3, 2009, was conducted by Endo Engineering specifically for this project. The analysis in the study considered noise generated from current noise levels in and around the project site and also future noise levels in the site upon completion of the animal care facility. The study noted that the project site is vacant and does not currently contribute to ambient noise levels in the study area. The ambient noise levels in the study area are the result of noise generated by: aircraft in the vicinity; street traffic; industrial activities; recreational activities in Demuth Park; and residents within the residential community north of Demuth Park. The primary sources of noise in the study area are transportation facilities including the Palm Springs International Airport, Mesquite Avenue, and Vella Road.

The study also noted that short-term site grading and construction-related noise levels will be intermittent and higher than the ambient daytime noise levels in the study area today, but will subside once construction is completed. Noise-sensitive receptors, including residents in the vicinity, will perceive short-term noise increases that will vary from day to day as the area under construction progresses, the construction equipment operating each day changes, and the length of time each piece of equipment is

being used varies. The peak levels of construction noise anticipated in the study area may cause annoyance to residents in the project vicinity during the construction activities. It is unlikely that these activities will generate unusually high levels of noise or cause long-term hearing loss or other severe effects.

Noise levels generated during the two-week grading period and the thirteen months required to construct the facility will be regulated through the City of Palm Springs *Construction Site Regulations* (Chapter 8.04.220) and *Noise Ordinance* as well as through environmental specifications in the construction contract. Construction hours shall be limited to maintain quiet during evening hours, Sundays, and holidays, which represent the maximum usage periods at Demuth Park as well as times when residents are more likely to be at home. As a result, short-term construction-related noise impacts will be less than significant.

### **Long-Term Impacts**

Noise generated by the proposed project will be consistent with the policies and guidelines included in the Noise Element of the *Palm Springs 2007 General Plan* as well as the performance standards set forth in the Noise Ordinance of the *Palm Springs Municipal Code*. The orientation of the building (toward Vella Road instead of Mesquite Avenue) and the careful placement of large concrete planters and noise barriers will minimize intrusive noise levels and shield entrances and outdoor courtyards and activity areas. On-site noise impacts associated with motor vehicle noise generated by ultimate traffic volumes on Mesquite Avenue and Vella Road will be less than significant.

The proposed project will not result in a substantial permanent increase in ambient noise levels above the existing noise levels in the vicinity. The project will not generate ground borne vibration or ground-borne noise levels. Long-term project-related motor vehicle noise increases along the project access roadways are projected to be less than significant upon project completion in the year 2011 and General Plan build out.

The long-term use of the proposed animal shelter will involve various on-site activities that generate intermittent operational noise. Sounds generated by these activities will occur during the less-sensitive daytime hours and be reduced through both passive and active means to levels permitted by the City's Noise Ordinance. The building shell will function as a noise barrier between the noise sensitive community (to the northwest) and the areas on-site where outdoor activities will generate noise (i.e., the sally port, the staff parking lot, the trash enclosure, and the storage container). Numerous architectural elements incorporated in the design of the facility will reduce the transmission of noise from the interior and outdoor activity areas on-site to the property line and the noise-sensitive areas located to the west and northwest. High performance acoustic windows, dense building materials, walls and doors with acoustic sound proofing features, high performance acoustic ceiling tiles, shielded courtyard designs, and shielded rooftop heating and air conditioning units will effectively reduce external noise levels by interrupting the direct pathway of the sounds that are generated on-site.

Dogs will be housed in interior wards comprised of seven individual dog runs (kennels) with both interior space and exterior yards. Although the kennels would face each other, the line of sight of the dogs therein will be broken by courtyard walls and landscaping to reduce the tendency of dogs therein to bark at the sight of other dogs.

During daytime hours when the proposed facility is open to the public, dogs allowed to exercise in the exterior yards of the dog runs or permitted to be outside in the adoption garden or animal training classroom courtyard may vocalize. Dogs will be supervised at all times while outside. If their barking is prolonged or excessive, they will be promptly returned to their indoor habitat. Dogs will be allowed in the exterior spaces only during the daytime hours when the shelter is open. The shelter will be closed during the noise sensitive nighttime hours and the dogs will be housed indoors behind guillotine doors

within the interior wards with "white noise" piped in to the ward spaces when the shelter is closed for the night. Noise generated by dogs barking outside the facility will be limited to the extent that they will not contribute significantly to the noise environment in Demuth Park or in the residential community located northwest of the site.

Noise from dogs inside the building will be reduced at the source, before it can propagate throughout the facility or escape to the exterior. Acoustic shielding will be provided by the building shell, interior partitions with sound proofing, exterior noise walls, and large concrete planters. Interior and exterior noise levels will be reduced through the use of sound proofing between rooms and sound muffling through the use of sound absorbing acoustical ceiling tiles that will reduce reverberation. Solid core doors will be used and interior doors will receive drop-down bottoms at the sill with neoprene seals. Thick double glazed, non-openable window glass will be installed with air-tight seals. Parapet walls surrounding the rooftop mechanical equipment recessed within an equipment well will reduce mechanical equipment noise sufficiently that the increase in ambient noise levels in the vicinity of the project including the noise-sensitive areas to the west and northwest will be less than significant.

Dog socialization training procedures, outdoor exercise, and acoustic architectural features will be utilized extensively in the animal holding kennels/habitats. The habitat construction will reduce reverberation and attenuate barking noise within the facility, thereby reducing internal room-to-room noise transmission. Animal noise will be attenuated by the building shell to the extent that there will be no significant increase in the ambient noise levels in the project vicinity, including the noise-sensitive areas to the west and northwest. Therefore, off-site noise impacts on noise-sensitive land uses in the study area, including Demuth Park and the residential community north of Demuth Park, resulting from the intrusion of noise generated by future operational and maintenance activities carried out on the site would be less than significant with the following mitigation measures incorporated:

**Mitigation Measures:**

- MM XI-1** A construction traffic routing plan shall be developed and submitted for approval that demonstrates, to the extent feasible, avoidance of routes with adjacent noise sensitive receptors (i.e., route construction traffic to/from the east along Mesquite Avenue, east of Vella Road).
- MM XI-2** The contractor shall comply with all local sound control and noise level rules, regulations and ordinances which apply to any and all work performed pursuant to the contract.
- MM XI-3** Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project site without said muffler.
- MM XI-4** Construction activities shall incorporate feasible and practical techniques which minimize noise impacts on adjacent uses.
- MM XI-5** All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.
- MM XI-6** Stationary equipment shall be placed such that emitted noise is directed away from noise sensitive receptors.
- MM XI-7** Stockpiling and vehicle staging areas should be located as far as practical from noise sensitive receptors.



- MM XI-8** Every effort should be made to create the greatest distance between noise sources and sensitive receptors during construction activities.
- MM XI-9** The noisiest construction operations shall be arranged to occur together in the construction program to avoid continuing periods of greater annoyance.
- MM XI-10** All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.
- MM XI-11** Parking, refueling and servicing operations for all heavy equipment and on-site construction vehicles shall be located as far as practical from existing homes.
- MM XI-12** Construction activities shall be limited to between 7:00 a.m. and 8:00 p.m., as specified by the Palm Springs Noise Ordinance Chapter 11.74.041 to reduce noise impacts during sensitive time periods.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. POPULATION AND HOUSING.</b> Would the project:				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) **No Impact.** The proposed project is an animal care facility that does not propose any new homes and no housing exists on the proposed project site. No existing residents or housing would be displaced to accommodate the proposed project. The proposed project will not have a direct or indirect impact on regional population growth. There is no impact to population and housing.

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

- a) **No Impact.** The Palm Springs Fire Department will issue conditions of approval that will ensure that there is no significant impact on the Fire Department's ability to service the community to their standard level of service. Therefore, the project will have no significant impact.
- b) **No Impact.** The project site is located within the service area of the City of Palm Springs Police Department (PSPD). PSPD currently has adequate staff resources to provide police services as needed to the proposed project area. Therefore, impacts to police protection would not be significant.
- c) **No Impact.** The proposed project does not propose any new residences or other facilities that would affect schools. Therefore, no impact would occur.
- d) **No Impact.** The proposed project does not include any development or uses that would lead to an increase in demand for parks and recreation services. Therefore, no impact would occur.
- e) **No Impact.** The proposed project would not create any significant impact to the service levels of other public facilities. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **No Impact.** The proposed animal care facility does not include any development or features that would increase the use of existing recreational facilities or increase demand for additional recreational facilities. The project proposal does not include any new recreational facilities and would not induce population growth either directly or indirectly. Therefore, no impact would occur.

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

a-b) **Less Than Significant Impact.** A Focused Traffic Study dated July 2009, was prepared by Endo Engineering to determine any potential traffic impacts that would be associated with the project. Specifically, the purpose of the focused traffic analysis was to evaluate whether or not traffic signals or other improvements would be needed in the future at the key intersection of Vella Road and Mesquite Avenue which is located adjacent to the project site. The study area includes two key intersections: Mesquite Avenue and Vella Road. According to the Focused Traffic Study, the peak hour levels of service (LOS) at the intersection of Vella Road and Mesquite Avenue are currently acceptable LOS B in the morning and LOS C in the evening during the peak season even with the existing intersection approach lane configuration and all-way stop control. The trip generation associated with the proposed project is estimated to include 43 trip-ends in the peak hour with approximately 430 daily inbound plus outbound trips.

Future year 2011 traffic projections with or without the proposed project do not appear to meet or exceed the urban peak hour traffic signal volume warrants. Furthermore, the study concluded that with all-way stop control (AWSC) and the existing approach lanes, the peak hour levels of service at the intersection of Vella Road and Mesquite Avenue in the year 2011 are projected to remain at acceptable levels LOS B in the morning and LOS C in the evening peak hour with and without the proposed project. The City of Palm Springs General Plan indicates that an acceptable level of service is D. The study concluded that with traffic control signals, the intersection of Vella Road and Mesquite Avenue would meet the City of Palm Springs minimum peak hour intersection performance standard and operate at LOS

A during the peak hours upon the projected General Plan buildout. With traffic control signals, southbound Vella Road is projected to operate at LOS C during the peak hours upon the projected General Plan buildout. Therefore, project related impacts would be less than significant.

c) **No Impact.** The proposed project does not include any components that could impact air traffic operations. The proposed project is located approximately 0.5 miles from the Palm Springs International Airport, however the proposed height of the building is well under the requirements contained in the Airport Land Use Compatibility Plan.

d-e) **No Impact.** The proposed project will not substantially increase hazards due to a design feature. Emergency access to the project site will comply with the requirements identified by the City Fire Department.

f-g) **No Impact.** The project is consistent with the requirements of the Palm Springs Zoning Ordinance for off-street parking. Therefore, no significant impact will occur.

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

- a, b, e) **No Impact.** The wastewater to be generated by this project will be treated by facilities owned by the City of Palm Springs. Based on the size of the proposed animal care facility, adequate levels of treatment would be provided for the wastewater flows emanating from all land uses within the 3-acre site of the project. Therefore, it is unlikely that the proposed use would have an impact on the requirements. Therefore no significant impact would occur.
- c) **No Impact.** The proposed animal care facility would not result in the need for additional storm-water facilities or expansion of existing facilities.
- d) **No Impact.** The proposed project will not require expanded entitlements to ensure adequate water capacity. Therefore, the project will have no impact.
- f-g) **Less Than Significant Impact.** The City of Palm Springs contracts with Palm Springs Disposal Services (PSDS) for solid waste collection services. Solid waste generated in the area is disposed of at the Edom Hill landfill or the Coachella landfill. The proposed project would be required to comply with State of California Waste Management Act (AB 939) by providing a recycling program implemented by Palm Springs Disposal Services. The animal care facility would comply with federal, state, and/or local statutes. The proposed project is not expected to generate a significant quantity of solid waste; therefore, no significant impact would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wild-life population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) **No Impact.** The proposed project would not degrade the quality of the environment; result in an adverse impact on fish, wildlife, or plant species including special status species, or prehistoric or historic cultural resources because the project components do not include any construction or development on areas that are not identified as sensitive.

Prehistoric or historic cultural resources would not be adversely affected because no archeological or historic resources are known to exist in the proposed project areas. The project is proposed to occur in an existing industrial tract, and does not propose any construction, development or grading activities in which cultural or historic resources would be anticipated to be discovered. Further, project implementation includes compliance with appropriate procedures for avoiding or preserving artifacts or human remains if they are discovered.

b) **No Impact.** The proposed project would be consistent with the City's General Plan and would not create any significant impacts. All project impacts would be reduced by adhering to basic regulatory requirements and/or conditions of approval.

c) **Less Than Significant With Mitigation.** Temporary air quality impacts have the potential to adversely affect human health; unstable soil has the potential to adversely affect human health; impacts to drainage and water quality have the potential to adversely affect human health; and temporary and long-term noise impacts have the potential to adversely impact human health. Traffic issues have the potential to impact human health; impacts to stormwater drainage facilities have the potential to impact human health, however, all significant impacts can be mitigated to a level less than significant



## REFERENCES

- 1) City of Palm Springs. City of Palm Springs Environmental Impact Report, March 2007.
- 2) City of Palm Springs. City of Palm Springs General Plan, 2007.
- 3) City of Palm Springs. City of Palm Springs Zoning Code, 2004.
- 4) South Coast Air Quality Management District. CEQA Air Quality Handbook, May 1993
- 5) South Coast Air Quality Management District, Air Quality Management Plan, 2007.
- 6) U.S. Code of Federal Regulations, Title 23, Chapter 26, Subchapter IV. "Clean Water Act", 1994.
- 7) Government Code Section 65962.5(f). "Hazardous Waste and Substances Statement".
- 8) California Department of Fish & Game; List of California Terrestrial Natural Communities Recognized by the California Natural Diversity Database, September 2003
- 9) Endo Engineering "City of Palm Springs Animal Shelter Focused Traffic Study" July 2009
- 10) Endo Engineering "City of Palm Springs Animal Shelter Noise Impact Study" August 2009
- 11) Endo Engineering "City of Palm Springs Animal Shelter Air Quality Impact Study" August 2009
- 12) Alameda County Law Enforcement Center & Animal Shelter Complex 2004 Draft EIR

# THE CITY OF PALM SPRINGS ANIMAL CARE FACILITY

## Mitigation Measures

The following mitigation measures will be incorporated in the proposed project to mitigate potentially significant adverse project-related air quality impacts during construction activities to less-than-significant levels. These measures would be imposed on the project as conditions of approval.

- MM III-1** The City's Fugitive Dust Control Ordinance (Chapter 8.5 of the Municipal Code) requires a Dust Control plan which shall be submitted to the City Engineer for approval and which shall include but not be limited to the following:
- A. Adequate watering techniques shall be employed to partially mitigate the impact of construction generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day.
  - B. The wheels and the lower portions of transport trucks shall be sprayed with water before they leave the construction area.
  - C. Any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the amount of open space subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize blowsand.
  - D. Grading activity shall be suspended when local winds exceed 25 miles per hour and during the first and second smog alerts.
  - E. Construction access roads shall be paved as soon as possible and cleaned after each workday.
  - F. All trucks hauling dirt, sand, soil, or other loose dirt material shall be covered or have 2 feet of freeboard.
  - G. A short-term stabilization plan shall be included in the plan for after hours and weekends. The applicant shall forward the plan to the Southern California Air Quality Management District (SCAQMD) after approval.
- MM III-2** The project proponent shall notify the City and SCAQMD 24 hours prior to the initiation of earth moving activities.
- MM III-3** The City shall notify the SCAQMD within 10 days of the completion of earth moving activities.
- MM III-4** Construction signage in conformance with City standards shall be posted on Vella Road and Mesquite Avenue regarding the reporting of blowing dust on the site.
- MM III-5** Earth moving operations shall include a water application system while earth moving is active.

- MM III-6** Construction equipment shall be properly maintained and serviced to minimize exhaust emissions.
- MM-III-7** Construction access roads shall be paved as soon as possible and cleared after each workday.
- MM-III-8** Paving activities and use of equipment for construction of buildings shall not be used concurrently.
- MM III-9** All exposed surfaces shall be watered twice daily.
- MM III-10** Speeds on all unpaved surfaces shall be reduced to less than 15 mph.
- MM III-11** Low VOC architectural coatings shall be used on the interior and exterior of the animal shelter.
- MM III-12** The project shall provide secure bicycle racks and a shower to encourage cycling to/from the facility and reduce vehicle miles traveled by private automobile and associated air pollutant emissions.
- MM III-13** The design and construction specifications shall promote energy efficiency which exceeds Title 24 of the Uniform Building Code and the use of sustainable building practices on-site such as Leadership in Energy and Environmental Design (LEED)
- MM III-14** The project will be required to implement blowsand reduction measures.
- MM V-1** A(n) Approved Cultural Resource Monitor(s) as indicated by the Agua Caliente Tribal Historic Preservation Office shall be present during any survey and/or ground disturbing activities.
- MM V-2** Should cultural resources be encountered during site construction in any portion of the site, work shall immediately cease and a qualified archaeologist shall be contacted to evaluate the significance of the materials. Any significant findings shall be documented and presented to the State Historic Preservation Office (SHPO), Bureau of Indian Affairs (BIA), the Agua Caliente Band of Cahuilla Indians and the City, and shall be resolved to their satisfaction.
- MM V - 3** Copies of any cultural resources documentation generated in connection with this project shall be given to the Agua Caliente Band of Cahuilla Indians for inclusion into the Agua Caliente Cultural Register.
- MM XI-1** A construction traffic routing plan shall be developed and submitted for approval that demonstrates, to the extent feasible, avoidance of routes with adjacent noise sensitive receptors (i.e., route construction traffic to/from the east along Mesquite Avenue, east of Vella Road).
- MM XI-2** The contractor shall comply with all local sound control and noise level rules, regulations and ordinances which apply to any and all work performed pursuant to the contract.

- MM XI-3** Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project site without said muffler.
- MM XI-4** Construction activities shall incorporate feasible and practical techniques which minimize noise impacts on adjacent uses.
- MM XI-5** All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.
- MM XI-6** Stationary equipment shall be placed such that emitted noise is directed away from noise sensitive receptors.
- MM XI-7** Stockpiling and vehicle staging areas should be located as far as practical from noise sensitive receptors.
- MM XI-8** Every effort should be made to create the greatest distance between noise sources and sensitive receptors during construction activities.
- MM XI-9** The noisiest construction operations shall be arranged to occur together in the construction program to avoid continuing periods of greater annoyance.
- MM XI-10** All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.
- MM XI-11** Parking, refueling and servicing operations for all heavy equipment and on-site construction vehicles shall be located as far as practical from existing homes.
- MM XI-12** Construction activities shall be limited to between 7:00 a.m. and 8:00 p.m., as specified by the Palm Springs Noise Ordinance Chapter 11.74.041 to reduce noise impacts during sensitive time periods.

## NEIGHBORHOOD MEETING DOCUMENTATION

### Palm Springs Animal Shelter Project

The City of Palm Springs, as owner and operator of the Palm Springs Animal Shelter is proposing to develop a new shelter on the SE corner of Vella Rd. and Mesquite Ave. in Palm Springs. The City, following a nationwide search, selected George Miers & Associates as the project architect. Mr. Miers has a long resume of successful, environmentally sensitive, animal shelter projects throughout the country. Part of the design process for the new facility was to include public meetings with the neighborhood.

On March 6, 2008 the City Animal Shelter Design Committee held a public meeting at City Hall with the neighbors to the NE of the project; Demuth Park neighborhood. Nine (9) citizens attended the meeting. The Design Committee provided an overview of the type of project that the City was looking at an indicated that the site that the City would like to place the shelter on was the SE corner of Vella Rd. and Mesquite Ave.

Citizen input was received that included concerns about traffic congestion, sewer plant odors, noise, dust during construction, stray cats and dogs, and why not put it somewhere else. Some citizens spoke in support of the shelter on this site rather than more WWTP ponds while others advised that if the project goes forward there should be the inclusion of a community room for the neighborhood to utilize for functions and meetings. Please see attached Meeting Minutes and roster.

With that input the design team thanked the neighbors and began the design process.

In early August, 2009 over 100 notices were sent out to the property owners of property surrounding the proposed site, announcing a September 8, 2009 community meeting at City Hall at 6:00 pm to talk about the current project design and to report back to the community on how their previous concerns were addressed by the project. In addition, Lee Husfeldt sent e-mail notices to the Demuth Park Neighborhood Organization asking that they too notify their members of the upcoming meeting and a press release was put out by the City.

The meeting was held in the Council Chambers and there were twenty nine (29) citizens in attendance, roster attached. The City Manager talked about the need for the Shelter and the fact that the City had set aside bond proceeds to help pay for the facility. The Owner's Representative gave a short review of the previous meeting comments and introduced the Architect, George Miers, to present the project. Mr. Miers spent almost an hour painstakingly walking those in attendance through the design and the mitigation measures the team has included in an attempt to address the community concerns from the first meeting. A sheet was handed out, copy attached, which detailed all of the odor control and noise mitigation measures that will be include in the project

Comments were then taken from those in attendance, summarized below:

- The design of the facility is outstanding, but why does it have to be near our neighborhood?
- Looks like you have addressed noise and odor concerns in your design, but what about traffic? City is using the Demuth Park area as a dumping ground for all its unwanted projects, ie: Pot emporium, wastewater treatment, hazardous waste facility and now this! This is the City's lowest socio-economic neighborhood and all the bad stuff is being put here.
- Mesquite is a speed way and the animal shelter is just going to make that worse with more traffic. One house has had their mailbox knocked down four times.
- Speeding is a Police issue and has nothing to do with the animal shelter project which is a sorely needed project. It will enhance the neighborhood and it is not dumping.
- Great addition to the neighborhood – not a dumping ground project.
- What about spay neuter for animals.
- Will there be problems with folks dumping animals at night?
- I am in favor of it! I live very near it and it is incredibly important, have you looked at what is presently on the site? This is not dumping by improving.
- We need help with the stink from the WWTP.
- Would like to compliment the staff and volunteers at the current facility, you need a new one.
- How soon will it start?

The meeting was adjourned at 7:45 pm; the design team stuck around to answer individual questions about the design.

Community member stated there used to be a dip on Vella, which has been removed, the dip slowed down the traffic, stated drivers do not stop at stop signs, and the increase in traffic due to the new shopping centers.

Community member questioned as to the other proposed sites were for the Animal Shelter.

Community member stated she was in support of the proposed site for the Animal Shelter, rather than holding ponds for the Wastewater Treatment Plant, the water ponds would attract mosquitoes.

Community member stated the City is not currently performing their duties at the Wastewater Treatment Plant which contributes nuisances to the neighborhood.

Mayor Pro Tem Foat provided additional information on the proposed amenities of the new Animal Shelter, and the benefits on a new shelter so that it will not have such an impact to the neighborhood, and noted the other sites that were considered in the process.

Community member questioned why the site on Gene Autry was not being considered, commented on the construction costs, and stated the City is not concerned with increased traffic on Mesquite.

Councilmember Mills stated the public area would be off of Mesquite, staff would be using Vella, stated an Environmental Study and Traffic Study will be performed during the process.

Community member questioned why the proposed shelter could not be located back further on the property.

Councilmember Mills explained the anticipated site plan, and the current water ponds that restrict the site.

Mayor Pro Tem Foat stated the building will be set-back and not build on the Street.

Esther Peterson, Animal Control Supervisor, commented on the improvements to noise and smell control in the Animal Shelter operations and business, but stated it would not be practical to retrofit the current shelter as a contemporary Animal Shelter.

Councilmember Mills stated the community members will be very much involved with the evolution of the development of the site.

Community member requested sites where other Animal Shelters are build in the neighborhoods, so that he could research such.

Community Meeting Notes  
March 6, 2008  
Page 3

Community member questioned when a decision on the location will be made, and the construction start date.


Mayor Pro Tem Foat and Councilmember Mills stated the Architect will be selected shortly and site needs to be selected, then community meetings should start in April or May, construction one-year away with an opening in 2010.

Community member stated the Wastewater Treatment Plant is emitting odors that need to be cleaned and corrected immediately.

Mayor Pro Tem Foat indicated she will bring the Wastewater Treatment Plan odors to the attention of the City Manager.

Mayor Pro Tem Foat thanked members of the community, stated additional meetings will be held and the neighborhood will be notified.

The meeting adjourned at 6:45 p.m.

  
JAMES THOMPSON, CITY CLERK



# ANIMAL SHELTER MEETING SIGN-IN

March 6, 2008

	NAME - PLEASE PRINT	ADDRESS - PLEASE PRINT	TELEPHONE	E-Mail
1.	CAROL HASKELL	717 S MT VIEW DR 68690 Tortuga Rd. CC, CA 92234	327-9771	rc35@verizon.net
2.	Brenda Mejia	PSAC	325-5048	Brcams1@msn.com
3.	CHRISTINA PETERSEN	PSAC	323-8151	
4.	Ann Nilsson	1652-B S. Cerritos E. P.O. 92204-5035	325-3684	
5.	DENNIS D. LYNN	37469 PALO VERDE DR C.C. 92234		
6.	TEBO MCKERSON	PSAC	323-8151	
7.	Hugh Wright	1047 TAMACISK Rd	323-8151	
8.	PATRICK DOANE	4356 MESQUITE	327-4163	
9.	CANSALE KUNAT	4385 ASSED CAROLETA	325-1180	
10.				

Public Meeting - Animal Shelter - September 8, 2009

Name	Address	Phone	Email
Sean Wise	980 S. Calle Paul	760-219-9563	Design@palm-springs.org sean.wise@palm-springs.org
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Suzanne Turman	2501 N. Indian Cyn.	760.555.2547	—
SHANNON + Molly Anderson	908 AEROP Vista Dr		SHARBOLTZ@DCL.COM
Daniel Mullins	816 S Paseo Dorotea	760-327-3233	findbizby@gmail.com
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ROB STONE	720 DESERT WAY	219.1673	LARSTONGROUP@AOL
CAEOL HASRELL	717 S ART Vain	327-9771	C35@VERIZON.NET
Joanne Plummer	3832 E Sunny Dunes	416-0458	JOANNE@TACS.BIZ
Tanya Petrovna	2079 Paseo (SUN) PS	333-4120	tanya@NATIVEFOODS.COM
Paul Polubinskas	3870 E. Mesquite Ave	327-1625	Paul@Palm Springs@del.com
Brend Shands	P.O. Box 4826	760-318-1222	brend@TANhiken.com
Jim E...	720 Desert Wy	—	—
Dave Kuhlman	415 E. Val Verde Ave	200.285-0134	dku48@aol.com
MICHAEL JOHNSON	804 S NUBIA VISTA	318-2100	33MICH@SBCG@OBNL.NET
CANDACE KNAUF	4385 PASEO CAQUETA	—	—
Michael Green	555 E SAN LORENZO Rd	322-7993	Michael@green@earthlink.net
STEPHEN BOYD	555 E. SAN LORENZO	322-7993	desertdesigner@earthlink.net
ESTHER PETERSEN	PSAC	323-8151	
TEDD NICKERSON	PSAC	323-8157	
Frank Gajdos	265 N. SUNSET Way	218-0483	Frankj@Gajdos@yahoo.com
MAX DAVIES	583 S. Calle Abronin	619-865-3666	MAX.DAVIES@Yahoo.com
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P. Gerber	590 W. WATT YANON	899-4300	gerber@del.com
John Tymon	36 Mars 92264	202-3101	NA.



## **We Don't Want an Animal Shelter in the Demuth Park Neighborhood**

The City of Palm Springs seems bent on keeping the Demuth Park Neighborhood from developing into a more upscale part of Palm Springs. The City seems to view the Demuth Park neighborhood as a place to put everything no one else in the City wants in their neighborhoods.

1. The changes to Mesquite between Gene Autry and El Cielo have resulted in a high speed cut through for traffic avoiding the lights on Ramon. It is dangerous for children using the park and for children waiting for school busses. Many people along Mesquite have lost mailboxes to speeding vehicles.
2. The City has now installed a hazardous waste disposal site in our neighborhood approximately 700 feet away from local residences.
3. The City has allowed a medical marijuana dispensary to be established within two and one-half blocks (approximately 1500 feet) for our neighborhood elementary school, Cielo Vista.
4. NOW, the City wants to put an animal shelter approximately 350 feet from residences in our neighborhood.

Common sense would say this is a misguided, foolish, inconsiderate, and rude move.

An animal shelter will cause noise, loose animals in the neighborhood that people "drop off" near the shelter, will be a sign to other city residents that the Demuth Park neighborhood is going to be kept down as a lower class neighborhood because the City is not interested in helping us develop, improve, and move forward. And all this will negatively affect housing prices in the neighborhood.

USC along with many other colleges and universities across the nation have in recent year begun studies and programs on ENVIRONMENTAL RACISM. This is the open or covert environmental discrimination toward a neighborhood by a city government and/or associated agencies based on the socio-economic demographics of that neighborhood. I'm certain that the City of Palm Springs would never take this path of discrimination knowingly and purposefully.

One of the professors from USC has graciously agreed to come to Palm Springs and speak on behalf of the Demuth Park Neighborhood regarding this issue when the environmental study is conducted for this proposed animal shelter site.

A petition against this location for the animal shelter is currently being circulated in the neighborhood.

Submitted by:  
Rob Stone  
760.219.1673

**RECEIVED**

JUL 20 2009

PLANNING SERVICES  
DEPARTMENT

