

**ADDENDUM TO THE  
DSRT SURF PROJECT  
ENVIRONMENTAL IMPACT REPORT  
(SCH No. 2019011044)**



**Prepared for:**

City of Palm Desert  
73510 Fred Waring Drive  
Palm Desert, CA 92260

**Prepared by:**



Terra Nova Planning & Research, Inc.<sup>®</sup>  
42635 Melanie Place, Suite #101  
Palm Desert, California 92211

**June 2021**

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# **DSRT SURF PROJECT**

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## **ADDENDUM TO THE DSRT SURF PROJECT ENVIRONMENTAL IMPACT REPORT (SCH No. 2019011044)**

### **1. INTRODUCTION AND PROJECT BACKGROUND**

#### **1.1. SUMMARY**

This document is an Addendum to the 2019 DSRT SURF Project Environmental Impact Report (EIR, SCH No. 2019011044). This Addendum has been prepared to evaluate the potential environmental impacts of amending the DSRT SURF Specific Plan, Tentative Tract Map, Development Agreement, and buildout of the revised DSRT SURF Project, referred to herein as the “Project.” In accordance with the California Environmental Quality Act (CEQA), this Addendum analyzes the proposed Project amendments and demonstrates that all potential environmental impacts associated with the Project at buildout would be within the envelope of impacts already evaluated in the approved EIR.

In this document, Section I provides the detailed description of the City of Palm Desert’s planning procedures and environmental review process under the California Environmental Quality Act (CEQA). Section 2 describes the proposed Specific Plan amendment and revised DSRT SURF Project. Section 3 describes the potential environmental impacts of the proposed amended Project in the context of the 2019 DSRT SURF Specific Plan EIR.

#### **1.2. PROJECT LOCATION**

The 17.69-acre Project site is located on the west side of Desert Willow Drive, north of Country Club Drive in the City of Palm Desert, Riverside County, California. The irregularly shaped site is bounded by golf course on its west, south and east sides, and by the Desert Willow Clubhouse parking lot on the north. The Project site is located in Section 4, Township 5 South, Range 6 East, San Bernardino Baseline and Meridian and consists of three Assessor’s Parcels: 620-420-023, 620-400-024 and -620-400-008. Regional location and project vicinity maps are provided in Exhibits 1 through 4.

### **1.3. EXISTING CONDITIONS AND CURRENT PROPOSAL**

#### Background

The Project site is partially developed with the Desert Willow Clubhouse parking lot in its northwest corner (approximately 3 acres) and the balance of the site (approximately 14.7 acres) is vacant desert land. The site is designated as Resort and Entertainment District on the City's General Plan Land Use Map which allows bed and breakfast inns, recreational facilities, retail, lodging, and commercial services along with specialized entertainment with a commercial floor area ratio (FAR) of up to 0.10, and multi-family residential land uses of up to 10 dwelling units per acre (DU/AC). The City's Zoning Map designates the site as Planned Residential (PR-5), allowing 5 units per acre. Prior to adoption of the DSRT SURF Specific Plan, development of the site was governed by the North Sphere Specific Plan (NSSP), which encompassed a total of 515± acres and allowed for a wide range of resort and residential development. The DSRT SURF planning area generally occurs within Planning Area 10 of the NSSP.

#### 2019 DSRT SURF Project

In 2019, the City of Palm Desert certified the DSRT SURF Specific Plan EIR that analyzed development of the DSRT SURF Project (2019 Project). The 2019 Project would result in the development of a surf lagoon of up to 6 acres in size, a surf center to include restaurant, bar, retail and similar facilities, up to 350 hotel rooms, and up to 88 resort residential villas on the 17.69-acre site. The Project was to be implemented in two phases and consisted of two planning areas: the Surf Lagoon Planning Area (PA 1, 11.85 acres), and the Hotel and Villas Planning Area (PA 2, 5.84 acres). Planning Area 1 would be constructed first and include the development of the surf center and pie-shaped surf lagoon, which included a wave machine located in the central pier of the lagoon and in the mechanical building at the southeastern portion of the site. The Hotels and Villas Planning Area (PA 2) would be developed in phase 2 and result in the construction of the hotel(s) and villas on approximately 5.84 acres.

The 2019 Project included a Specific Plan (SP) to guide the overall development of the site, a Precise Plan (PP) for the lagoon and surf center, and a Tentative Tract Map (TTM) to subdivide the site into five parcels. The Project also included a Disposition and Development Agreement to facilitate the sale of the property which is currently owned by the City, and establish development responsibilities of both the applicant and the City.

The 2019 Specific Plan set forth the planning principles, land use policies, development standards, maximum development densities and design guidelines for the overall development of DSRT SURF and public improvements within the Specific Plan area. The architectural theme for the Project was Desert Mid-Century Modern, inspired by the Desert Modern and Mid-Century styles. The follow land use and development standards were set forth in the 2019 Specific Plan:

**Table 1**  
**2019 DSRT SURF Specific Plan**  
**Land Uses and Development Standards**

<b>Planning Area 1</b> <b>Surf Lagoon Planning Area (11.85 acres)</b>	<b>Max/Min Allowed</b>
Surf Lagoon	Max 6 acres
Surf Center Building	Max 35,000 SF ; Max Height 50 feet
<i>Café Juice Bar</i>	<i>Max 1,750 SF</i>
<i>Restaurant (120 Occupants w/seats)</i>	<i>Max 2,250 SF*</i>
<i>Bar (83 Occ w/seats, 180 Occs w/o seats)</i>	<i>Max 1,250 SF**</i>
<i>Events (233 Occ w/seats, 500 Occs w/o seats)</i>	<i>Max 2,750 SF***</i>
Ancillary Restrooms/Changing Rooms/Locker Buildings	Max 1,500 SF
Ancillary Rental Building(s)	Max 1,500 SF
East Lagoon Café and Bar	Max 2,750 SF
Maintenance and Equipment Buildings	Max 12,500 SF
Landscaping/OS/Pool /Recreational Space	Minimum 20% Planning Area site coverage
Parking	Surf Lagoon: 1.5 per surfer (max. 95 surfers) Restaurant/Bar/Lounge: 8 per 1,000 SF
<b>Planning Area 2</b>	
<b>Hotel and Villas Planning Area (5.84 acres)</b>	<b>Max/Min Allowed</b>
Hotels	Max 350 rooms, Max 200,000 SF; Max Height 50 feet
Hotel Spa	Max 12,500 SF
Villas	15 units per acre/87 villas max.
Villa Clubhouse	Max 3,125 SF
Maintenance and Equipment Buildings	Max 2,500 SF
Landscaping/OS/Pool/Recreational Space	Minimum 25% Planning Area site coverage
Parking	Hotel: 1 per room Villas: 2 per unit

The land use, design, and development standards of Planning Area 1 would be regulated through a Precise Plan based on the City’s Municipal Code Section 25.72.030. A Precise Plan application was filed for the Lagoon and Surf Center, including a 5.5 acre lagoon, restaurants, bars, retail space and entertainment facilities and was considered and approved as part of the 2019 Project. A Precise Plan application was not submitted for the Hotel and Villa Planning Area at the time of the EIR analysis, therefore impact analysis was based on the Planning Area’s maximum buildout potential of 350 hotel rooms and 88 resort residential villas on approximately 5.84 acres.

**Table 2**  
**2019 DSRT SURF PA1 Precise Plan**  
**Development Assumptions**

Land Use/Building	SF	AC
Surf Lagoon	239,580	5.50
Surf Center Building	31,500	0.88
<i>Café Juice Bar</i>	<i>1,500</i>	
<i>Restaurant (120 Occupants w/seats)</i>	<i>2,000*</i>	
<i>Bar (83 Occ w/seats, 180 Occs w/o seats)</i>	<i>1,000**</i>	
<i>Events (233 Occ w/seats, 500 Occs w/o seats)</i>	<i>2,500***</i>	
Ancillary Restrooms/Changing Rooms/Locker Buildings	1,070	0.02
Ancillary Rental Building(s)	640	0.01
East Lagoon Café and Bar	1,000	0.06
Maintenance and Equipment Buildings	1,600	0.21
Landscape/OS/Pool/Rec./Amenities	104,789	2.41
Roadways/Driveways/Parking (asphalt paved areas)	120,307	2.76
90 Surface Parking		
160 Underground Parking (not incl. in site total AC)		
* Restaurant = 2,000 SF built space plus 1,000 SF exterior non-built space, total of 3,000 SF of usable space. ** Bar = 1,000 SF built space plus 500 SF exterior non-built space, total of 1,500 SF of usable space. ***Events = 2,500 SF built space plus 1,000 SF exterior non-built space, total of 3,500 SF of usable space.		

On-site parking under the 2019 Project would include a mix of surface parking throughout the site and underground parking in proximity to the surf center and future hotels. The surf center building would be open to the public, including retail shops and surf center restaurants. Future guests could purchase a Beach Pass or Surf Pass to access the pool and recreational areas, lagoon-side surf shack/bars, and the surf lagoon for surf lessons and surf sessions. The lagoon’s capacity was up to 75 surfers during regular days, and up to 95 surfers for special events. It was assumed that one special event would be held per month for a total of 12 special events annually, which could result in 3,500 ticketed spectators per event. Parking overflow during special events would be located off-site at a lot called “Lot E,” which has a capacity for 500 vehicles, and at established parking lots elsewhere, including the Indian Wells Tennis Garden parking facilities. A shuttle service would be provided during special events to transport visitors to the Surf Lagoon.

The 2019 Project also proposed off-site improvements including stormwater management and pool/lagoon discharge infrastructure, a lagoon water source, removal of golf course turf in several locations within the existing golf course and replacement with desert landscaping, other landscaping improvements, and soil removal and storage. The 2019 Project also included improvements to Lot E, the existing off-site parking lot southeast of the Project site that will provide overflow parking during special events.

Also part of the 2019 Project was a TTM that subdivided the site into five parcels, including the perimeter roadway, the surf lagoon and its associated buildings and facilities, the hotel(s) parcel, and multiple parcels for the residential villas.

The Disposition and Development Agreement would facilitate the sale of the property between the City and the applicant, and establish responsibilities of both parties in the development process, including:

- Infrastructure, public parking and overflow parking improvements
- Performance requirements for the applicant to contribute fair share monies for the installation of the traffic signal at Market Place Drive, and for the City to install the signal prior to the issuance of a certificate of occupancy for the surf center
- Various easements including:
  - Resort storm water drainage into the Mountainview Golf Course waste areas just south of the site
  - Lagoon Evacuation Line, through the City's Mountainview Golf Course and within the existing Embarc 40' Easement to the southeast of the Project site;
  - Access to Mountainview Golf Course well water and supply line, located to the south of lagoon;
  - Access to off-site parking lot (Lot E) for overflow parking
- Off-site grading and turf reduction on the Desert Willow Golf Course

### **Current Proposal**

The current proposal will amend the Specific Plan, Precise Plan, and TTM to accommodate proposed modifications to the hotel, surf center facilities, and villas. The Disposition and Development Agreement (DDA) is also being amended, to reflect the changes in the Project. The components of the DDA listed above, however, are not substantially changing. A summary of Project components is provided below, and a detailed description of the Project is provided in Section 2, Proposed Amendments.

### **Specific Plan**

The amended Specific Plan will maintain the Project's original vision and aesthetic character, including the architectural themes, desert landscape palette and recreational amenities. The Specific Plan also maintains the existing land uses, including the development of a surf lagoon up to 6-acres and associated facilities, up to 350 hotel rooms, and up to 88 residential villas (see Specific Plan for details). Overall operations would remain the same with the average number of surfers in the lagoon at any given time reduced from 75 to 70 surfers. It is still assumed that 12 special events would be held annually. The Specific Plan build out is consistent with the 2019 Project in terms of land use intensity and density. Amendments are proposed to development standards, including residential setbacks; and the two previous Planning Areas are proposed to be combined into one, consistent with the revised Precise Plan, which establishes the design of the entire Project site. The DDA establishes the phasing schedule for the Project, which is expected to be constructed sequentially, with the surf lagoon and surf center occurring first, followed by the hotel and villas.



### Precise Plan

The site is no longer divided into two Planning Areas. Instead, a Precise Plan application was prepared for the entire site and for all Project components (Exhibit 5: Project Site Plan). The surf lagoon is in the same general location, of the same general size, and will utilize the same wave technology previously proposed and analyzed in the EIR. The surf lagoon will also include beach areas, a control tower, life guard towers, viewing decks, gathering areas, and pool-spa areas. The surf center includes the surf lagoon ticketing area, retail sales, offices for operations, areas for board and wetsuit rentals, lockers, bathrooms, flex space, and indoor/outdoor surf instruction areas. The hotel proposed in the Precise Plan application will include 92 keys and be four stories in height (see Exhibit 7 for hotel elevations). The ground level will have amenities including a restaurant, bar and lounge, all on the southwest side of the building, and a parking structure on the northeast side of the building. The second level is entirely parking. The third level includes a fitness center, spa, flex space, bar area, outdoor amenity deck, pool-spa areas, and guestrooms. The fourth level is entirely guestrooms. (see Precise Plan Application). The Precise Plan also includes 83 residential units located around the perimeter of the surf lagoon, as well as ancillary facilities to serve the residences, including recreational amenities, a homeowners' (HOA) clubhouses and open space.

Off-site improvements will remain the same as the 2019 Project, including stormwater and lagoon drainage, turf removal in several locations within the existing golf course, landscaping improvements, Lot E parking facilities for special events and overflow parking, and soil removal and storage.

### Tentative Tract Map

The Tentative Tract Map (see Exhibit 6 for TTM 37639) was amended to accommodate the revised residential component of the Project, which now proposes 33 private villas, a series of seven condominium style buildings called "stacked flats," and two private club houses (see Exhibits 8 and 9 for typical elevations). Combined, the stacked flats have a total of 50 units, resulting in a Project total of 83 residential units. The Precise Plan provides development specifics for City review, including the site plan, architectural elevations, floor plans, roof plans, cross sections, landscape plans, lighting plans, and utility plans. (see Precise Plan Application).

# CALIFORNIA

PACIFIC OCEAN

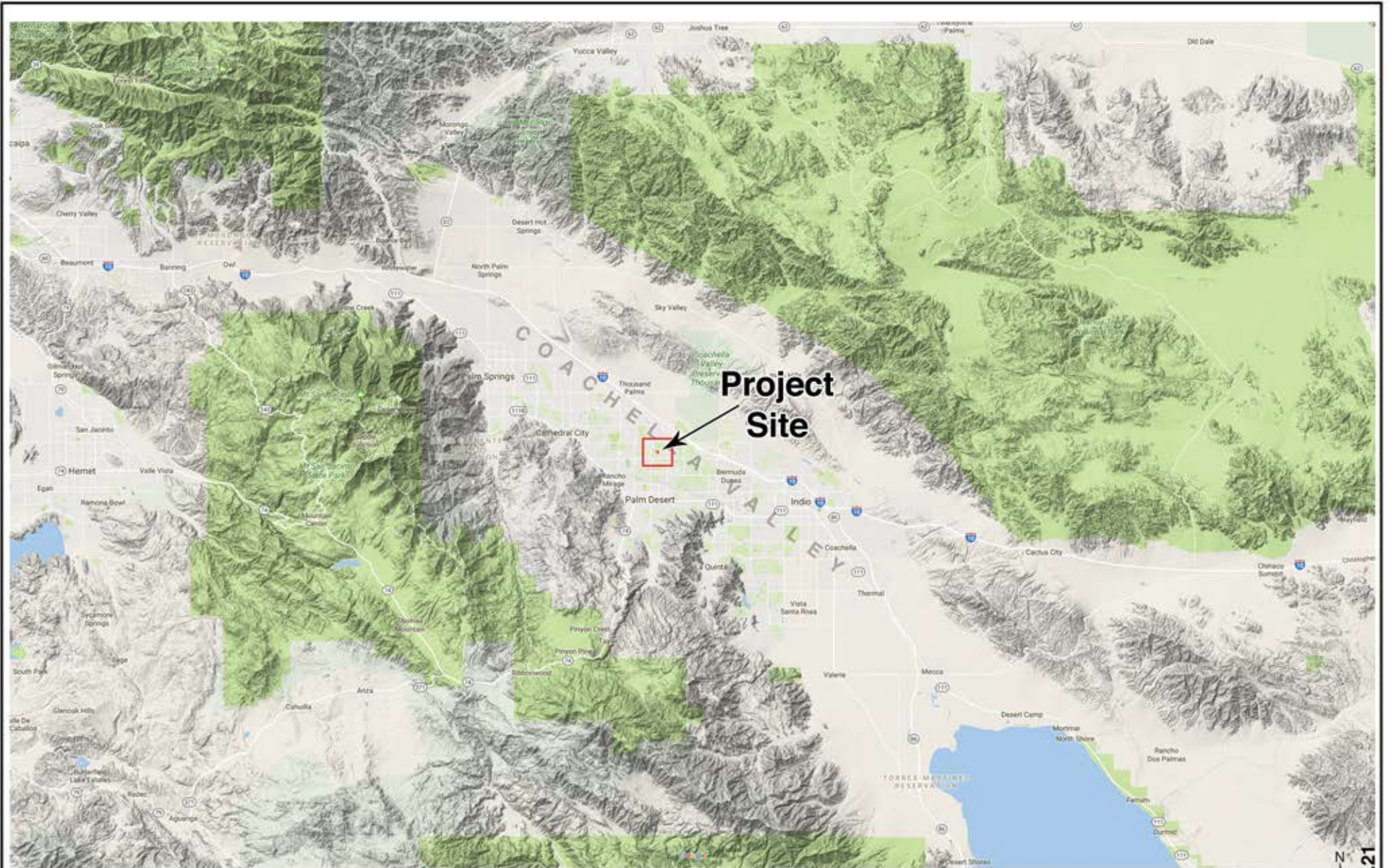
MEXICO



# RIVERSIDE COUNTY







Source: Google Maps, 2017



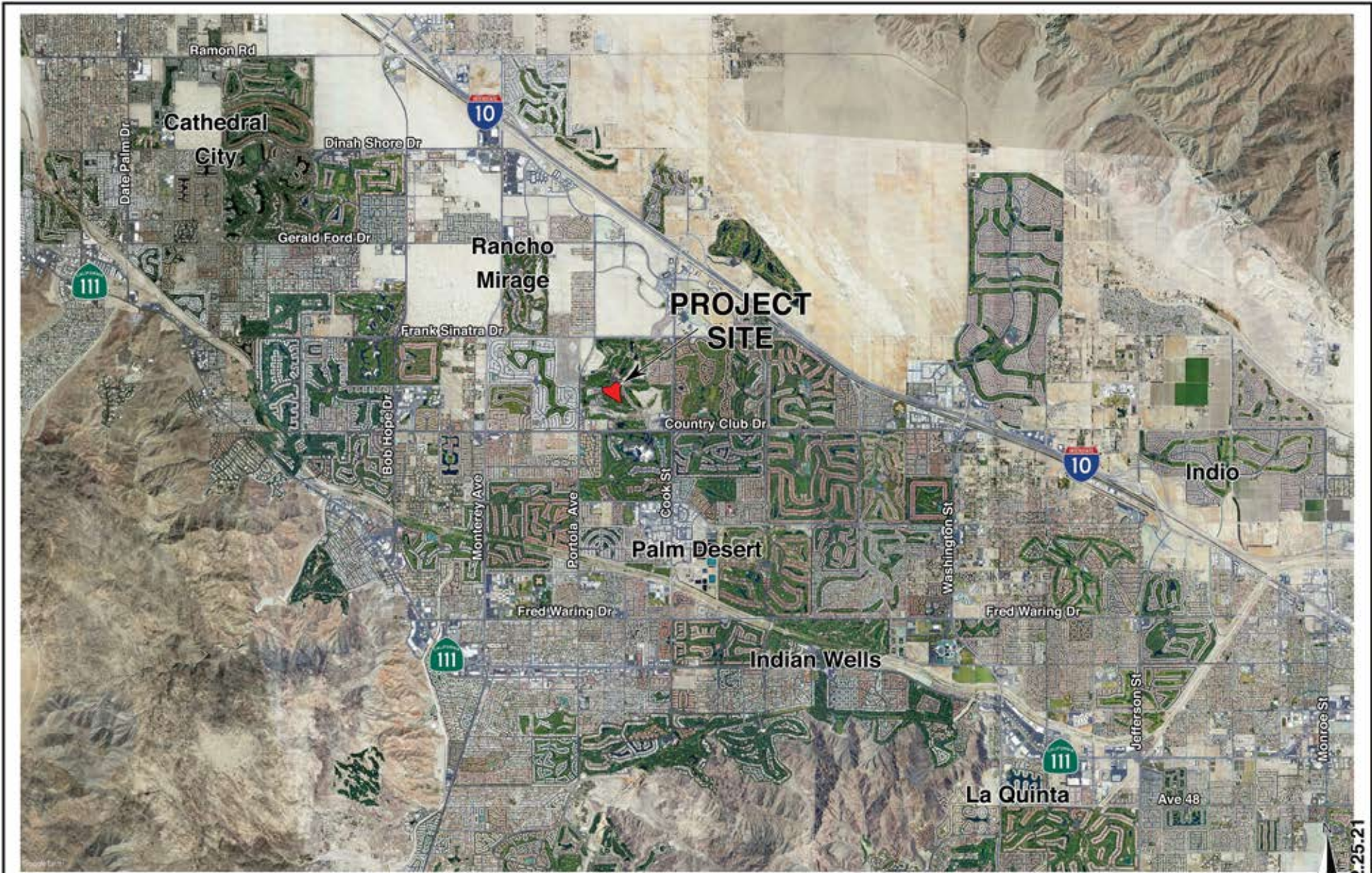
**DSRT SURF**  
**Area Location Map**  
**Palm Desert, California**



Exhibit

2





Source: Google Earth, 2018

02.25.21







Source: Google Earth, 2018



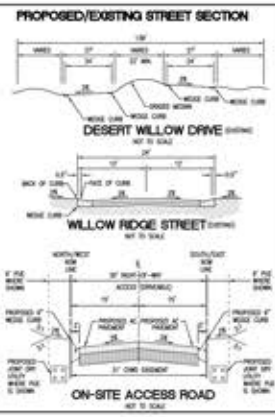
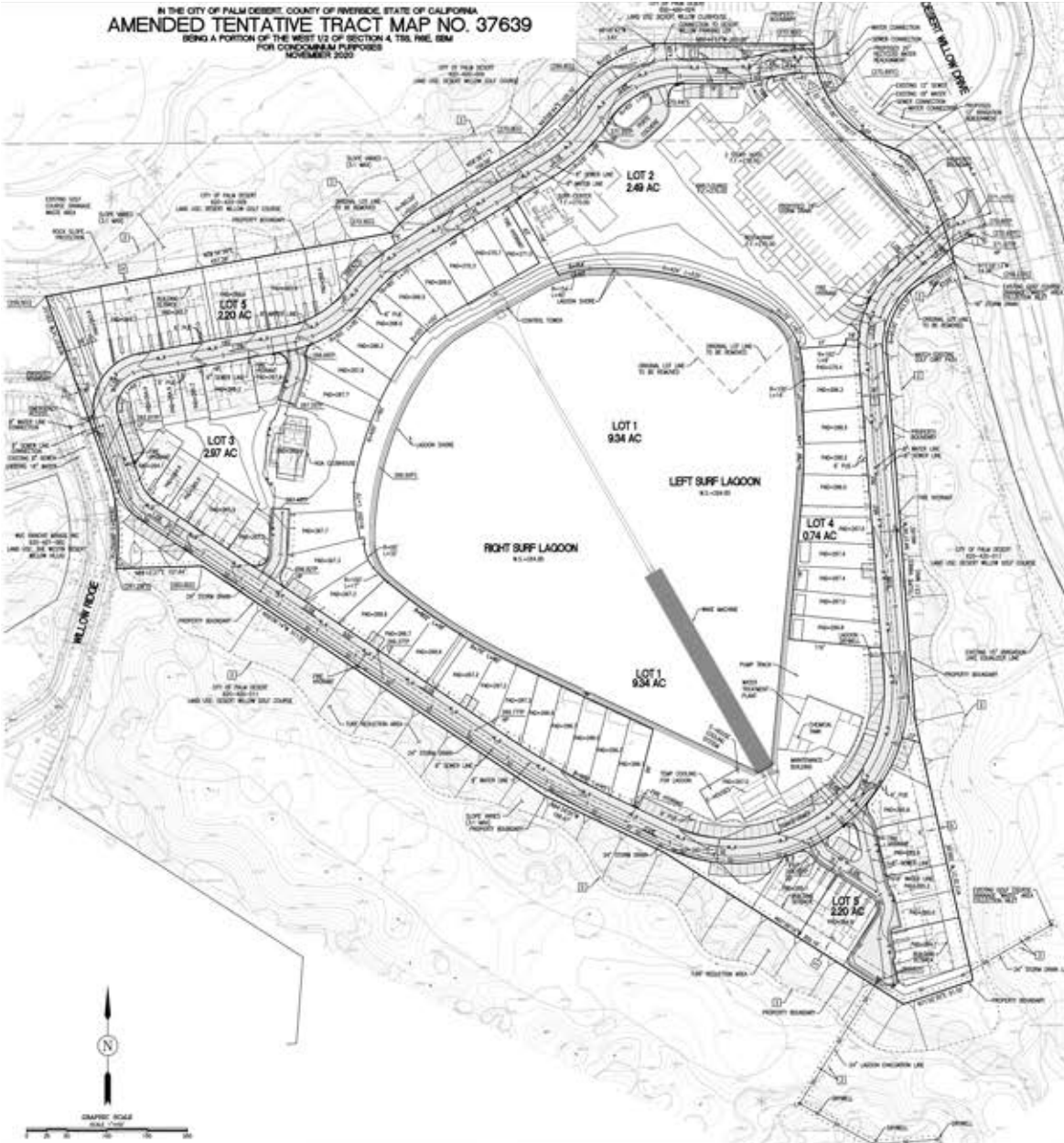
Source: AO Architects, 2021



05.10.21



IN THE CITY OF PALM DESERT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
**AMENDED TENTATIVE TRACT MAP NO. 37639**  
 BEING A PORTION OF THE WEST 1/2 OF SECTION 4, T19S, R16E, S6M  
 FOR CONFORMANCE PURPOSES  
 NOVEMBER 2020



- EASEMENT NOTES**
1. THERE EXIST CERTAIN EASEMENTS OVER THE PROJECT AND LANDSCAPE EASEMENT FOR LANDSCAPE AND SERVICE PURPOSES FOR 05/21/14 TO 05/21/24.
  2. AN EASEMENT FOR LANDSCAPE AND PUBLIC UTILITY AND RIGHTS INCLUDING TRAVEL, AS SHOWN IN AS SHOWN FOR RECORDATION IN 05/21/14 TO 05/21/24.
  3. AN EASEMENT FOR OFFICE AND AVIATION INCLUDING TRAVEL, AS SET FORTH IN A DOCUMENT RECORDED IN 05/21/14 TO 05/21/24 IN INSTRUMENT NO. 2008-001-01 OF OFFICIAL RECORD, SAN FRANCISCO.
  4. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA Edison COMPANY FOR TRANSIT OF HIGH VOLTAGE LINES OVER THE PROJECT AS SET FORTH IN A DOCUMENT RECORDED IN 05/21/14 TO 05/21/24 IN INSTRUMENT NO. 2008-001-01 OF OFFICIAL RECORD, SAN FRANCISCO.
  5. AN EASEMENT FOR LANDSCAPE PUBLIC UTILITY AND TRAVEL INCLUDING TRAVEL AND RIGHTS INCLUDING TRAVEL, AS SET FORTH IN A DOCUMENT RECORDED IN 05/21/14 TO 05/21/24 IN INSTRUMENT NO. 2008-001-01 OF OFFICIAL RECORD, SAN FRANCISCO.
  6. AN EASEMENT FOR UNDERGROUND UTILITY PURPOSES, AS SET FORTH IN A DOCUMENT RECORDED IN 05/21/14 TO 05/21/24 IN INSTRUMENT NO. 2008-001-01 OF OFFICIAL RECORD, SAN FRANCISCO.
  7. AN EASEMENT FOR CONDUIT, GAS, WATER, OPTICAL, AND ALL TO BE INSTALLED, MAINTAINED, REPAIRED AND REMOVED AT ANY TIME AND FROM TIME TO TIME UNDERGROUND, SURFACE, UTILITY AND CONSTRUCTION SYSTEMS AND RIGHTS INCLUDING TRAVEL, AS SET FORTH IN A DOCUMENT RECORDED IN 05/21/14 TO 05/21/24 IN INSTRUMENT NO. 2008-001-01 OF OFFICIAL RECORD, SAN FRANCISCO.
  8. EASEMENTS FOR TEMPORARY CONSTRUCTION PURPOSES, AS SET FORTH IN DOCUMENTS RECORDED IN 05/21/14 TO 05/21/24 IN INSTRUMENT NO. 2008-001-01 OF OFFICIAL RECORD, SAN FRANCISCO.
- A PROPOSED EASEMENT FOR ACCESS PURPOSES  
 A PROPOSED TEMPORARY CONSTRUCTION EASEMENT FOR DRIVING PURPOSES  
 A PROPOSED EASEMENT FOR SERVICE PURPOSES  
 A PROPOSED EASEMENT FOR WALK PURPOSES  
 A PROPOSED EASEMENT FOR LANDSCAPE PURPOSES

- GENERAL NOTES**
1. TOTAL AREA = 11,702 AC± ACROSS UNITS.
  2. EXISTING UTILITIES - UNKNOWN.
  3. EXISTING UTILITIES AND WATER SUPPLY TO BE PROVIDED BY CALIFORNIA HIGHWAY PATROL. AREA DETERMINED TO BE CALIFORNIA HIGHWAY PATROL. AREA DETERMINED TO BE CALIFORNIA HIGHWAY PATROL. AREA DETERMINED TO BE CALIFORNIA HIGHWAY PATROL.
  4. THE PROJECT BOUNDARY IS DETERMINED BY THE PROJECT BOUNDARY AS SHOWN ON THIS TRACT MAP.
  5. THE PROJECT BOUNDARY IS DETERMINED BY THE PROJECT BOUNDARY AS SHOWN ON THIS TRACT MAP.
  6. THE PROJECT BOUNDARY IS DETERMINED BY THE PROJECT BOUNDARY AS SHOWN ON THIS TRACT MAP.
  7. THE PROJECT BOUNDARY IS DETERMINED BY THE PROJECT BOUNDARY AS SHOWN ON THIS TRACT MAP.

**AERIAL TOPOGRAPHIC**

2020 TECHNOLOGY DRIVE, SUITE 200-C  
 MURRETA, CA 92562 - (951) 454-1000  
 AERIAL PHOTOGRAPHY DATED: 1-17-2018

Source: The Altum Group, 2021

05.10.21



**DSRT SURF**  
 Tentative Tract Map 37639  
 Palm Desert, California



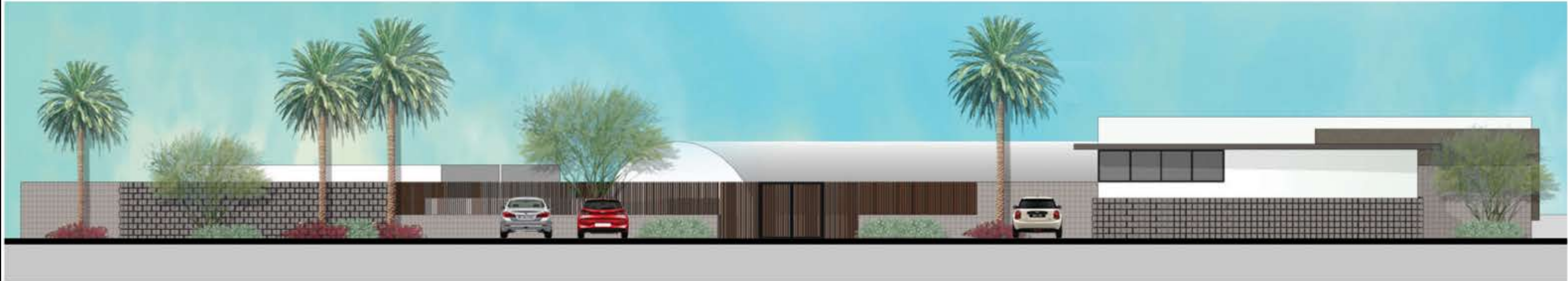
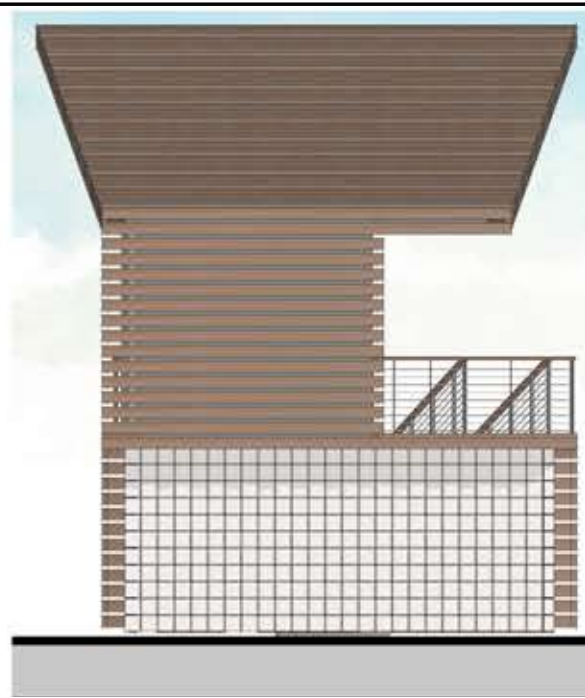
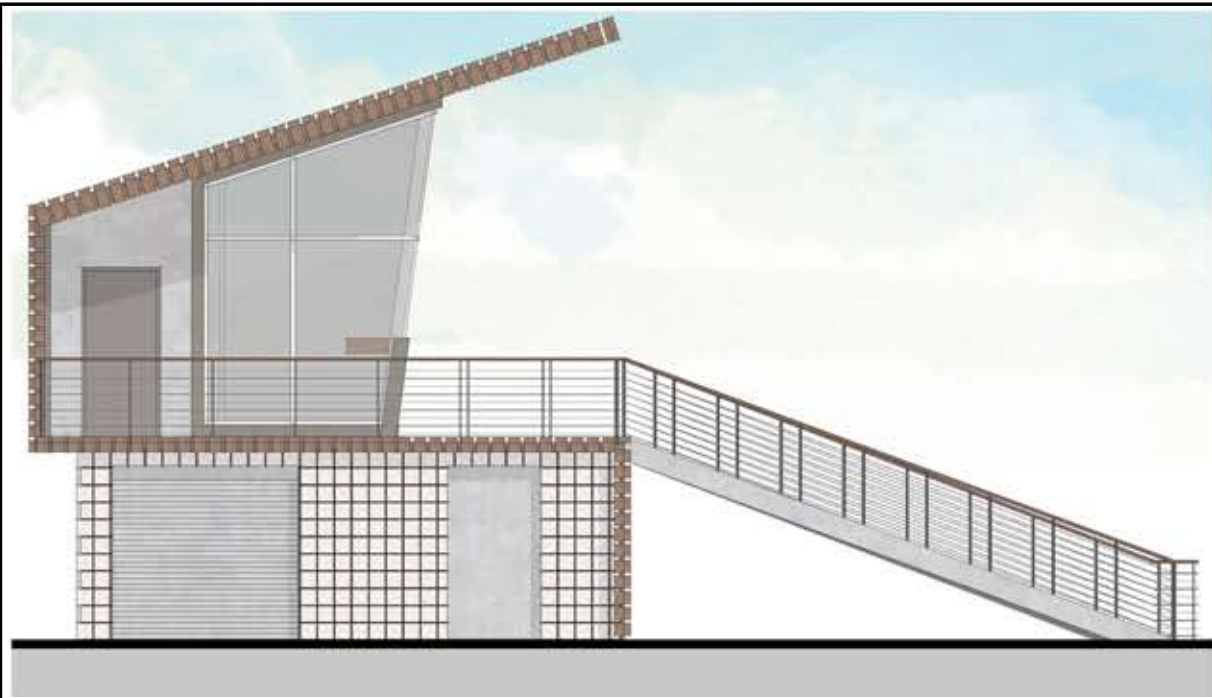




Source: AO Architects, 2021

05.10.21





Source: AO Architects, 2021

05.10.21





Source: AO Architects, 2021

05.10.21





Source: AO Architects, 2021

05.10.21





Source: AO Architects, 2021

05.10.21

**DSRT SURF**  
**Typical Stacked Flats Elevations**  
**Palm Desert, California**



Exhibit

11

#### **1.4. PURPOSE OF AN EIR ADDENDUM**

In accordance with CEQA Guidelines Section 15164, a Lead Agency is required to prepare an EIR Addendum to a previously certified EIR if some changes or additions to a project are necessary, but the proposed project modifications do not require preparation of a subsequent EIR, as provided in Guidelines Section 15162. In addition, the proposed modifications cannot result in new or substantially more significant environmental impacts compared with the impacts disclosed in the previously certified EIR.

CEQA Guidelines Section 15162 states that a subsequent EIR would be required for a project if any of the following conditions exist:

1. Substantial changes to the project require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or
3. The availability of new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, shows that the project will have one or more significant effects not discussed in the previous EIR, significant effects previously examined will be substantially more severe than shown in the previous EIR, or mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

This Addendum was prepared to analyze potential impacts of the proposed DSRT SURF Specific Plan and Project amendments as compared to those previously identified in the 2019 DSRT SURF Project EIR.

Based on the evaluation of information provided in this EIR Addendum, no new significant impacts would occur as a result of the proposed Project, nor would there be any substantial increase in the severity of any previously identified adverse environmental impacts. Therefore, none of the conditions described in Section 15162 of the CEQA Guidelines has occurred. For this reason, an EIR addendum is the appropriate document to comply with CEQA requirements for the proposed Project.

## 2. PROPOSED AMENDMENTS

The Project proposes amendments to the 2019 DSRT SURF Specific Plan, Precise Plan, and Tentative Tract Map to accommodate modifications to the hotel, surf center facilities, and villas. Amendments to the DDA are also proposed, consistent with the revised Project. The Specific Plan amendment will not change the overall land use approvals for the site, which included 350 hotel rooms, 88 villas, a surf center, surf lagoon and ancillary facilities, including parking, recreation and mechanical/service areas. The architectural style (Desert Mid-Century Modern) and landscape palette will also remain consistent and maximum building height will stay at 50 feet. Overall, the Project does not propose changes to the Specific Plan's land uses, and only minor changes to the development standards. The most notable change is the consolidation of the Project into one planning area as opposed to the two planning areas set forth the 2019 Specific Plan.

The amended Precise Plan will result in the development of the entire site, consisting of a 92 key hotel, surf center, a 5-acre surf lagoon, 33 private villas and 50 stacked flat residential units, as well as ancillary facilities to support these uses.

The following provides a comparison of the assumptions made in the EIR versus proposed Project amendments.

- Architectural Themes and Design Guidelines:
  - The 2019 Specific Plan architectural theme is Desert Mid-Century Modern. Design guidelines were provided for height and mass (up to 4 stories or 50 feet), pathways and wayfinding, landscaping, signage, walls and fences, and lighting.
  - The proposed Specific Plan does not propose changes to the Project's design guidelines<sup>1</sup> and the current Precise Plan was designed in accordance to the Specific Plan.
- Surf lagoon:
  - The EIR assumed buildout of a 6-acre surf lagoon per the 2019 Specific Plan. Details including water and energy demand were provided and analyzed in the EIR.
  - The proposed Specific Plan does not change development standards of the lagoon and therefore the same buildout assumptions would apply. The Precise Plan proposes a 5-acre lagoon, however 6-acres is assumed to represent potential maximum impacts. The same water and energy demands are assumed.
- General Commercial:
  - The EIR assumed 45,000 square feet, including the surf center and mechanical rooms, changing room, and other ancillary buildings proposed for Phase 1.
  - The proposed Specific Plan generally maintains the same overall land use assumptions with minor amendments. The maximum buildout potential of the surf center and maintenance and equipment space remains 35,000 square feet and 15,000 square

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<sup>1</sup> The proposed Specific Plan includes clarifying text for parapets, towers, elevators, staircases and similar architectural elements that may extend above the 50' building height by no more than 10'.

feet respectively; however, the standalone surf center ancillary buildings (up to 3,000 square feet) have been removed, and it is assumed that any such use will be included in the surf center's maximum buildout potential. Also, the 8,000 square feet of restaurant space originally allowed and accounted for within the 35,000 square feet of surf center space was analyzed as a separate use in the 2019 EIR for air quality analysis purposes due to the different trip generation rates for general retail and restaurant uses. In total, the 2019 EIR analyzed 27,000 square feet of surf center space (after subtracting 8,000 square feet of restaurant from the 35,000 square feet), 3,000 square feet of ancillary uses, and 15,000 square feet of mechanical space for a total of 45,000 square feet of surf center/general retail. Therefore, it can be assumed that the 45,000 square feet of retail space analyzed in the 2019 EIR was reduced to approximately 42,000 square feet (subtracting the 3,000 square feet of stand alone ancillary uses), representing a 7% reduction compared to the 2019 Project. The Precise Plan proposes approximately 7,414 square feet of surf center facilities, including ticketing, retail, lockers, control tower, and board and wetsuit rentals. In addition, there are approximately 4,909 square feet of lagoon maintenance and equipment space for a total of 12,323 square feet of surf center facilities. This represents a 27% reduction in commercial spaces compared to the 2019 Project.

- Restaurant/Bars:
  - The EIR assumed 11,250 square feet of restaurant/bar space which only accounts for Phase 1 restaurant space. Hotels would include restaurant space for Phase 2, although the exact square footage was not known at the time of the EIR. Modeling for hotel uses for air quality, traffic, water use and similar quantifiable impacts included hotel services such as spas, restaurants, bars and conference rooms.
  - The proposed Specific Plan generally maintains the same overall land use assumptions including maximum allowable surf center and hotel space; however, the standalone east lagoon café and bar (up to 2,750 square feet) has been removed. The proposed Specific Plan is not explicit about the allowed square footage of restaurant/bar space in the surf center, other than it needs to fall within the surf center's maximum allowed buildout of 35,000 square feet. It is possible that buildout under the proposed Specific Plan could result in 11,250 square feet of restaurant/bar space and therefore, assumptions and impacts will be the same. The Precise Plan proposes approximately 3,271 square feet of restaurant/bar/grab and go cafe space located within the hotel, representing a 71% reduction in this space compared to the 2019 Project.
- Hotel and Villas:
  - The EIR assumed the maximum Specific Plan buildout of 350 hotel rooms and 88 villas, and it assumed a combined total 500,000 square feet for analysis purposes.
  - The proposed Specific Plan does not propose limits or changes to hotel and villas development quantities and therefore the same maximum buildout assumptions would apply. The Precise Plan proposes 92 hotel rooms and 83 villas. The total gross building area for the hotel is 68,689 SF (84,363 square feet with amenity deck) and 168,529 square feet of villas and stacked flats (183,476 square feet with roof decks). Therefore, total hotel and villa building square footage would be approximately 237,218 square feet, representing a 53% reduction compared to the 2019 Project.



- Parking:
  - The EIR assumed 520 parking spaces and a multi-level structure with elevator.
  - The proposed Specific Plan does not propose limits or changes to parking requirements, and therefore the same assumptions as those used in the EIR would apply. The Precise Plan proposes an above ground parking garage with elevator and 443 parking stalls. This represents a 14% reduction in parking compared to the 2019 Project.
- Capacity:
  - The 2019 Project assumed, on average, 75 surfers would be in the lagoon at one time with the ability to accommodate 95. Special events may be held that could result in 3,500 ticketed spectators.
  - The proposed Project reduces the lagoon capacity from 75 to 70 surfers. Special events assumptions would remain the same.
- Off-site Improvements:
  - The 2019 Project included the following off-site improvements: stormwater and lagoon drainage, turf removal in several locations within the existing golf course, landscaping improvements and turf removal, Lot E parking facilities for special events and overflow parking, and soil removal and storage.
  - The proposed Project does not propose changes to off-site improvements, and therefore assumptions and impacts will be the same.

### **3. IMPACT ANALYSIS**

The proposed Specific Plan amendments are limited to updating the Project renderings, minor modifications and clarifications of development standards, and merging the two planning areas into one overall planning area. Maximum land use assumptions and quantities have not changed, and therefore impacts associated with buildout of the amended Specific Plan would be comparable, if not identical to those previously identified in the certified EIR. Changes in development standards are limited to residential setbacks, which have been reduced for front and side yards at the villas and stacked flats. Implementation of the proposed Specific Plan would not result in any new adverse impacts or significantly increase the severity of previously identified significant impacts in the certified EIR. Therefore, further analysis of the Specific Plan is not required in this document.

In addition, the Project does not propose changes to off-site improvements previously analyzed in the EIR. Because no changes are proposed, impacts associated with off-site improvements would be the same as previously identified in the EIR. Buildout of off-site improvements would not result in any new adverse impacts or significantly increase the severity of previously identified significant impacts in the certified EIR. Therefore, further analysis of off-site improvements is not required in this document.



In accordance with CEQA Guidelines §15162, the following analysis addresses each of the environmental issues analyzed in the certified EIR as compared to the potential changes in environmental impacts due to the proposed Project. As discussed above, impacts associated with the proposed Specific Plan and off-site improvements are identical to those analyzed in the EIR, and further analysis is not detailed below. Changes related to the Precise Plan application, and ultimate build out of the Project site, are the focus of this document.

The certified EIR identified two environmental issues associated with the 2019 DSRT SURF Project that could result in potentially significant impacts: Air Quality and Greenhouse Gas Emissions. Significant impacts are primarily attributed to the increase in vehicle trips generated by the Project during special events, resulting in significant levels of mobile source criteria pollutants and greenhouse gas emissions. The EIR analysis determined that air quality impacts associated with NO<sub>x</sub> emissions during the life of the Project and greenhouse gas emissions could not be mitigated to less than significant levels, and were therefore considered an unavoidable significant impact. The City determined that the social and economic benefits of developing the DSRT SURF Project outweighed the severity of these impacts, and Findings and a Statement of Overriding Considerations were adopted.

### **3.1. AESTHETICS**

#### **Summary of Findings in the EIR**

##### *Scenic Vistas*

The Coachella Valley is a low desert basin surrounded by dramatic mountainous terrain created by the active geology that is characteristic of Southern California. Surrounding mountains include the San Jacinto, Santa Rosa, and San Bernardino Mountain ranges. At its peak, Mount San Jacinto rises to an elevation of 10,834 feet above mean sea level. The Santa Rosa Mountains, with Toro Peak at an elevation of 8,715 feet above mean sea level, generally form the southerly boundary of the valley. In the northerly portion of the valley are the Indio Hills, with elevations rising to about 1,600 feet, and the Little San Bernardino Mountains further north, forming the northeasterly boundary of the valley. Emanating from the mouths of mountain canyons are numerous alluvial fans. Surrounding mountain views are of high aesthetic value across all of the Coachella Valley, including the City of Palm Desert.

The Project site is generally flat and lies on the valley floor at an elevation of about 250 feet above mean sea level. From the Project site, foreground views to the north, south, and east include golf course greens, cart paths, and desert landscaping of the surrounding Desert Willow Golf Course, as well as the clubhouse and parking lot to the northeast. Views to the west include two-, three- and four-story residential villas and parking lots of the Westin Desert Willow villas.

Distant views include the middle and upper elevation slopes of the Santa Rosa Mountains approximately 3 miles to the south and southwest, and the San Jacinto Mountains approximately 10 miles to the west. In some locations, the Indio Hills (5 miles to the north) and Little San Bernardino Mountains (8 miles to the north) are visible. Predominant views from the Project site are of the Santa Rosa Mountains to the south. The aesthetic value of the other mountain ranges

is somewhat diminished due to distance from the Project site and intervening development and landscaping. The Project site is not located along a designated State scenic highway and contains no scenic resources, such as trees, rock outcroppings, or historic buildings.

Construction of the surf lagoon, surf center, hotels, villas, and off-site improvements would require the use of heavy equipment for grading, paving and excavation. Standard construction methods would be used for the construction of the one- and two-story buildings proposed in PA 1 and up to 4-story (50 feet) buildings allowed in PA 2. Construction activities would be visible from the surrounding golf course, Montecito and Retreat developments, and the Westin Desert Willow project. Impacts from construction are temporary and would be limited by distance and grade differences.

Buildout of PA 1 would result in a 2-story surf center, at the north end of the Project site, and 2-story equipment building at the southeast corner of the Project site, representing the tallest buildings in the Planning Area at 42± feet. No development application(s) for Planning Area 2 (hotel and villas) were filed at the time of the EIR, so specific architectural plans were not available. However, the Project Specific Plan allows the hotel building(s) to have a maximum height of 50 feet and the villas were envisioned as 2-story units.

Project building heights were found to be consistent with the Desert Willow Golf Course Clubhouse and other nearby resort development, including the two- to four-story Westin Desert Willow villas to the immediate west and southwest. The PA 1 site plan (Precise Plan) preserved views of the Santa Rose Mountains to the south by clustering the surf center, swimming pools, event lawn, and other gathering spaces in the northerly portion of the site and orienting them toward the surf lagoon and scenic views to the south and southwest. No perimeter fencing, walls, or other barriers that would obstruct scenic views were proposed. Lower level views of mountain foothills would be somewhat reduced, but the peaks and the extent of the range would still be visible above the proposed structures. The EIR determined that Project impacts to scenic vistas would be limited by distance and strategic site planning, and impacts were found to be less than significant.

#### Visual Character

The Specific Plan would guide overall development of the 2019 Project, including maximum development densities, standards, and design guidelines. The 2019 Project was found consistent with the visual character and scenic quality of the area, which is characterized by resort development, native and drought-tolerant landscaping, and architectural themes, materials, and colors that complement the desert environment. The EIR determined the 2019 Specific Plan would not conflict with City policies preserving view corridors or scenic roadways.

The 2019 Specific Plan and Precise Plan allowed for buildings of up to 50 feet in height and surf lagoon light poles of up to 80 feet. The Precise Plan lighting plan for the lagoon showed a total of 11 pole lights, ranging in height from 40 to 80 feet. Of this total, one was proposed at 40 feet, three at 60 feet, four at 70 feet, and three at 80 feet in height, distributed on all sides of the lagoon, and on the central pier. Given the heights proposed, these pole lights had the potential to impact the visual character of the area, because the maximum building height within both the proposed Project and surrounding projects ranges to approximately 50 feet.

Visual simulations from 7 photo location points on the outer edge of the public golf course were prepared to demonstrate where the surf lagoon light poles would be located. Overall, it was determined that the light poles would not significantly impact the visual character of the area because of their limited mass, light color, and because views would already be partially screened by the Project's structures.

Overall, the EIR determined that the DSRT SURF Project would not significantly impact the visual character of the area, or impact public views, because the mass and scale of the 2019 DSDRT SURF Project was consistent with existing development within the Desert Willow golf course, and the mass of the structures would be softened and blocked by existing golf course landscaping. Impacts associated with visual character and public views were found to be less than significant.

### Light and Glare

The 2019 DSRT SURF Project would increase light and glare from the following sources:

1. Pole-mounted lighting was proposed along the central pier and both sides of the outer boardwalk. This included a total of 34 luminaires mounted on eleven (11) galvanized steel poles that will be 40 to 80 feet in height. Of this total, one was proposed at 40 feet, three at 60 feet, four at 70 feet, and three at 80 feet in height. Section 24.16.015(F) of the Palm Desert Municipal Code states that the maximum pole heights for sport courts shall be thirty (30) feet. The Specific Plan allowed for the construction of light poles of up to 80 feet in height. Section 24.16.015(E) of the Municipal Code requires that sports lighting fixtures use the latest technology to control spill light from the lighting fixture. Each luminaire will be fitted with a light/glare control visor that directs light downward onto the lagoon and reduces glare and light spillage.

Section 24.16.045(C) of the Municipal Code states that outdoor recreational sports lighting shall be turned off at 10:00 pm with partial lighting remaining on until 10:30 pm to allow participants to safely vacate the field/venue. The Specific Plan's proposed surf lagoon operational hours that allow surfers in the water until 12:00 am on holidays, weekends and during special events, and 10 pm on weekdays.

2. Other lighting fixtures proposed in the 2019 Project include lights mounted in the concrete pony wall along the entire boardwalk (18 inches above the boardwalk deck), and fixtures mounted on handrail vertical posts along the entire pier (20 inches above the pier deck), as well as landscaping lighting throughout the site.
3. The Project would involve the installation of photovoltaic (PV) solar panels, which would convert sunlight directly into electricity.
4. Vehicles accessing and parking onsite will generate new sources of light and glare.
5. Windows will increase glare to some extent; however, exterior surfaces will be non-reflective. Typical interior and exterior lighting will be installed.

The 2019 Specific Plan required that the Project comply with the City's lighting standards, which require that light be shielded and not spill onto adjoining properties. Windows will increase glare to some extent; however, exterior surfaces will be non-reflective, and impacts related to glare will be less than significant.

Typical interior and exterior lighting will be installed at the surf center, hotels and villas. The lighting plan prepared for the perimeter of the site, which included all areas of the Project, included photometric analysis of the proposed outdoor lighting. Light generated from these fixtures would meet the City's requirements for screening and limitations associated with light levels being non-existent at the property line. Light would illuminate the Promenade roadway, parking lots, hotel, villas, surf lagoon boardwalk and pier, and common areas around the surf center, including ancillary buildings, swimming pools, and the event lawn.

The 2019 Precise Plan application provided the design of the lighting fixtures for the light poles, including a large focusing visor which significantly limits light spillage. Analysis in the EIR demonstrated that lighting levels at the property line would be reduced to imperceptible levels to the north and south of the site at the property line, conforming to City standards. Light pole luminaires would emit a total of 112,455 lumens, which is less than the 130,000 lumens allowed for commercial light poles in Municipal Code Section 24.16-015, Outdoor Lighting Requirements. The lighting impacts associated with the lagoon lighting as it relates to light fixture outputs would therefore be less than significant. The EIR found that lighting levels at the villas immediately adjacent to the lagoon could experience higher lighting levels. Per Mitigation Measure AES-1 of the EIR, architectural plans for the villas in proximity to the lagoon will be required to demonstrate that interior light levels in those villas will not exceed 1 footcandle, the lower allowable standard under the City's standards. This mitigation measure will assure that impacts associated with lighting at the lagoon villas will be less than significant.

Solar panels were proposed for the roof of the surf center building. Reflectivity levels of solar panels are significantly lower than standard glass or galvanized steel, and would not pose a reflectance hazard to area viewers. Furthermore, these solar panels would be directed upward so that they would not be reflecting sunlight onto the site to cause glare.

The City will review and approve all lighting plans prior to development to assure they provide sufficient safety and security and comply with the Palm Desert Municipal Code. With implementation of these standard requirements, impacts will be less than significant. The City does not have specific numeric standards for glare. However, based on the findings in the EIR, the lagoon lighting as proposed (40-80 foot tall poles) will result in minimal glare off-site, and impacts were determined to be less than significant.

#### Summary of Impacts

The EIR determined that impacts related to scenic vistas and resources, degradation of existing visual character, and creation of new sources of light or glare that would adversely affect nighttime views were to be less than significant because of the development policies, programs, and design performance standards set forth in the 2019 Specific Plan and City's General Plan and Municipal Code, and the implementation of Mitigation measure AES-1.

### Mitigation Measures

- AES-1 In order to assure that lighting levels at the Lagoon Villas do not exceed City standards, architectural plans for these villas will be accompanied by a lighting plan that demonstrates that the interior lighting level at the windows located facing the lagoon does not exceed 1.0 footcandle.

### **Analysis of the Proposed Project**

#### Specific Plan Amendments

The proposed Specific Plan amendments are limited to minor modifications to development standards, updating the Project renderings and merging the two planning areas into one overall planning area. Land uses and quantities have not changed, and therefore impacts associated with buildout of the amended Specific Plan would be the same as previously identified in the certified EIR. Implementation of the proposed Specific Plan would not result in any new adverse impacts or significantly increase the severity of previously identified significant impacts in the certified EIR. Therefore, impacts are considered less than significant

#### Precise Plan

The proposed Project will result in the development of a 92 key hotel with adjoining surf center facilities, a 5-acre surf lagoon, 33 private villas and 50 stacked flat residential units. The proposed hotel is 4-stories<sup>2</sup> (50 feet), the surf center is single story (26 feet), villas are 2-stories (up to 30 feet), and stacked flats are 2- to 3-stories (up to 40 feet). These proposed building heights are consistent with those previously analyzed in the EIR, which assumed 4-stories for the hotel, 2-stories for the villas, and 2-stories for the surf center. The surf lagoon is in the same general location, of the same general size, and will utilize the same wave technology previously proposed and analyzed in the EIR.

No perimeter fencing, walls, or other barriers that would obstruct scenic views are proposed. Lower level views of mountain foothills would be somewhat reduced, but the peaks and the extent of the range would still be visible above the proposed structures. Similar to the previously approved Project, proposed Project impacts to scenic vistas would be limited by distance and strategic site planning, and impacts will be less than significant.

The proposed DSRT SURF Project would not significantly impact the visual character of the area, or impact public views, because the mass and scale of the proposed Project are consistent with what was previously analyzed in the EIR and existing development within the Desert Willow golf course. As with the 2019 Project, the mass of the proposed structures will be softened and blocked by existing golf course landscaping. The location of structures has been modified from what was analyzed in the EIR, but their overall mass has not changed. The hotel structure will be located on the northeastern portion of the site, generally in the location of the surf center in the 2019 project. Although the hotel proposes a taller structure than the surf center, that structure

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<sup>2</sup> Maximum building height is 50 feet; The Specific Plan has special provisions for parapets, towers, mechanical screening etc. that allow such features

will be screened by distance and landscaping from existing development to the northeast. The villas and stacked flats occur in generally the same locations as previously analyzed, and are of the same mass and scale as that considered in the 2019 EIR. Impacts to viewers to the west of the Project would be equivalent to or somewhat less than analyzed in the EIR, because the hotel structure would not occur within that field of view. Impacts associated with visual character and public views would be generally equivalent to those analyzed in the EIR, and will be less than significant.

The site is currently vacant, therefore the Project will result in an increase in light associated with development. The level of lighting will be consistent with what was previously analyzed in the certified EIR, including lighting for the hotel, surf center, surf lagoon, villas, stacked flats, and landscaping. The photometric analysis provided in the Precise Plan demonstrates that light impacts will be controlled at the property line, and that the impacts of lagoon lighting will be consistent with that analyzed in the EIR. Mitigation Measure AES-1, requiring limited light levels at villas located adjacent to the lagoon, will also be applied to the proposed Precise Plan to lower impacts of lagoon lighting on residents of the Project. The City will review and approve all lighting plans prior to development to assure they provide sufficient safety and security and comply with the Palm Desert Municipal Code. With implementation of these standard requirements, impacts will be less than significant. The City does not have specific numeric standards for glare. However, it was previously determined in the EIR that the lagoon lighting as proposed (40-80 foot tall poles) will result in minimal glare off-site, and the currently proposed lighting plan does not change from that analyzed in the EIR. Impacts will be consistent with that analyzed in the EIR, and less than significant with the implementation of mitigation measures.

#### Off-Site Improvements

The Project does not propose changes to off-site improvements previously analyzed in the EIR. Being that no changes are proposed, impacts associated with off-site improvements would be the same as previously identified in the EIR. Buildout of off-site improvements would not result in any new adverse impacts or significantly increase the severity of previously identified significant impacts in the certified EIR. Therefore, impacts are considered less than significant.

#### Summary of Impacts

The proposed Project would not create any new impacts associated with views, and any impacts would be comparable to those identified in the EIR. Thus, potential impacts to scenic vistas and views associated with the proposed Project would be less than significant with implementation of applicable Specific Plan, General Plan policies and design performance standards. Impacts associated with lighting and glare will be less than significant as they relate to architectural lighting, landscape and safety lighting, consistent with the EIR. Lighting levels resulting from the light poles at the lagoon will, consistent with the findings of the EIR, have the potential to impact residential villas, but will be required to implement Mitigation Measure AES-1, which will reduce light impacts to assure that they comply with City standards, and result in less than significant impacts.

## **3.2. AGRICULTURE AND FORESTRY RESOURCES**

### **Summary of Findings in the EIR**

The Project site is within the urban core of the City, and does not contain agricultural or forestry resources. Nor is there any zoning for such resources in the City. The Initial Study Notice of Preparation determined there would be no impacts to these resources, and therefore impacts were not further analyzed in the EIR.

### **Analysis of the Proposed Project**

The site is currently vacant and contains sparse native vegetation. There are no existing or mapped agricultural or forestry resources within or in proximity to the Project site, and such uses are not proposed as part of the proposed Project. Therefore, the proposed Project would not create any new impacts associated with these resources, consistent with those identified in the EIR. No impacts to agricultural or forestry resources would occur under the proposed Project.

## **3.3. AIR QUALITY**

### **Summary of Findings in the EIR**

The City of Palm Desert is located in the Salton Sea Air Basin (SSAB) portion of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is the air pollution control district principally responsible for comprehensive air pollution control in the Basin. Local development and population growth, traffic, construction activities, and various site disturbances in the City contribute to air quality emissions. The Coachella Valley portion of the SSAB is classified as a “non-attainment” area for PM<sub>10</sub> and ozone. State and federal standards for carbon monoxide, nitrogen oxides, sulfur dioxide, and lead are in attainment within the City and the SSAB. SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards.

In March 2017, the SCAQMD approved the 2016 AQMP. The 2016 AQMP continues to evaluate current integrated strategies and control measures to meet the National Ambient Air Quality Standards (NAAQS) and explore new and innovative methods to reach its goals. The 2016 AQMP incorporates scientific and technological information and planning assumptions, including the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS), a planning document that supports the integration of land use and transportation to help the region meet the federal Clean Air Act (CAA) requirements. The EIR determined that the DSRT SURF Project would be consistent with SCAG projections, and therefore consistent with the AQMP.

#### *Coachella Valley PM<sub>10</sub> State Implementation Plan*

PM<sub>10</sub> emissions consist of fine suspended particles of ten microns or smaller in diameter, and are the byproducts of road dust, sand, diesel soot, windstorms, and the abrasion of tires and brakes.



The proposed Project area lies on the valley floor of the central Coachella Valley where wind erosion can be severe. The Project area and vicinity have a Very High Wind Erodibility Rating per figure 8.3 in the General Plan. Strong winds lift and transport large quantities of sand and dust and contribute to regional exceedances of PM<sub>10</sub>. The Coachella Valley has a history of elevated PM<sub>10</sub> emissions and is subject to the 2003 Coachella Valley PM<sub>10</sub> State Implementation Plan (CV PM<sub>10</sub> SIP). The CV PM<sub>10</sub> SIP includes control measures for the abatement of large particles by targeting construction and earth moving activities, disturbed vacant lands, unpaved roads and lots, paved road dust, and agriculture.

To reduce the impacts of local fugitive dust and PM<sub>10</sub> emissions, the City of Palm Desert adopted a Fugitive Dust (PM<sub>10</sub>) Control Ordinance (Chapter 24.12 of the Palm Desert City Municipal Code). The ordinance establishes minimum dust control requirements for construction and demolition activities, including: preparation and approval of a fugitive dust mitigation plan, reductions in vehicular speeds on unpaved roads and at construction sites, the application of chemical and/or vegetative dust suppressants and stabilizers, paving of parking lots and roadways, installation of wind fencing, vegetation of disturbed areas, and implementation of street and vehicle cleaning programs at construction sites. Local PM<sub>10</sub> Air Quality Inspectors working for SCAQMD out of the Coachella Valley Association of Governments (CVAG) offices are tasked with monitoring and identifying development activities that are not meeting emission standards, and help educate developers and cities on meeting PM<sub>10</sub> standards.

#### Ozone and Regional Air Quality Management Plans

Chapter 7 in the 2016 AQMP constitutes the ozone SIP for the 2008 8-hour ozone NAAQS, which addresses the current status of ozone air quality and provides the strategy toward future attainment of the federal 8-hour ozone standards in the Coachella Valley

#### Construction Emissions

Buildout of the 2019 DSRT SURF Project would result in the direct and indirect generation and emission of air pollutants during construction and operation. The California Emissions Estimator Model (CalEEMod), version 2016.3.2, was used to estimate potential air pollutant emissions associated with the Project. Assumptions were based on buildout of the Specific Plan and represent potential maximum emissions. Due to the cumulative nature of assessing air quality impacts, the DSRT SURF air quality analysis addressed the entire Project as a whole and the combined impacts associated with the components listed below.

- Surf Lagoon and Surf Center – demolition of existing parking lot, grading, excavation, soil export, construction, operational energy use, operational and construction-related vehicle and haul trips for soil export.
  - Assumes 12 special events per year for analysis purposes.
- Hotel and Villas – grading, excavation, soil export, construction, operational energy use, operational and construction-related vehicle and haul trips for soil export.
- Off-Site Improvements:
  - Stormwater Management – grading, excavation, potential soil export
  - Pool/Lagoon Discharge – grading, excavation, potential soil export
  - Golf Course Turf Reduction – soil disturbance



- Landscaping Improvements – soil disturbance
- Special Events Parking – limited grading, paving, soil disturbance associated with landscape improvements
- Soil Removal/Storage – soil export and storage

Construction of the Project would require the export of approximately 103,000 cubic yards<sup>3</sup> of surplus earthen material to the Classic Club, which has a designated fill site for excess soils and is located approximately 3.5 miles northeast of the subject property<sup>4</sup>. Therefore, it was assumed that each haul round trip would be approximately 7 miles. This represents a worse-case hauling distance, since the City may also allow the off-loading of Project-related soil export within vacant areas of the Desert Willow project, which are much closer than the 7 miles associated with the Classic Club location.

Additional assumptions included:

- Surf lagoon: 6-acre “recreation swimming pool” (CalEEMod terminology, model inputs have been adjusted to reflect Project specifics)
- General Retail: 45,000 square feet. This includes the Surf Center and square footage for mechanical rooms, changing room, and other ancillary buildings proposed for Phase 1
- Restaurant/Bars: 11,250 square feet. This only accounts for Phase 1 restaurant space; however, CalEEMod assumes “hotels” will include restaurant space for Phase 2.
- Hotel: 438 rooms (350 hotel rooms and 88 villas), assumes 500,000 square feet
- Parking: 520 parking spaces, multi-level structure with elevator
- Other asphalt: 1 acre for off-site parking and internal roadways

The following table (Table 2.3-6 in the EIR) described pollutant emissions during construction of the DSRT SURF Project. Data represent maximum daily emissions expected over the 2-year buildout period.

**Table 3**  
**Construction Emissions Summary**  
**2019 DSRT SURF Project (lbs./day)**

	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Max. Daily Emissions	64.85	92.32	65.90	0.14	9.58	6.11
<b>SCAQMD Threshold*</b>	<b>550.00</b>	<b>100.00</b>	<b>75.00</b>	<b>150.00</b>	<b>150.00</b>	<b>55.00</b>
<b>Exceeds Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Table 2.3-6 of the EIR.

The EIR determined that SCAQMD daily thresholds for CO, NO<sub>x</sub>, ROG, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> would not be exceeded during construction of the 2019 DSRT SURF Project and construction-related emission impacts would be less than significant. No mitigation measures were required.

<sup>3</sup> Based on Project Grading Plan. Assumes grading of entire project (both Planning Areas).

<sup>4</sup> CalEEMod assumes the average haul load is 20 tons (or 16 cy) per trip.

Long-term Operation Emissions

Operational emissions are those released over the long-term life of the Project. They include emissions generated by area, energy, and mobile sources. Area sources include consumable products, such as building maintenance and cleaning supplies, kitchen and restroom supplies, pavement off-gassing, and periodic reapplication of architectural coatings. Energy sources include the direct and indirect use of fossil fuels for energy, including natural gas and electricity use in buildings, parking lot lighting, ventilation equipment, and elevators. Mobile emissions are generated by motor vehicle trips.

The EIR determined that 2019 Project-generated operational emissions would not exceed SCAQMD thresholds for CO, ROG, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub> during typical operations or special events. However, Project-generated NO<sub>x</sub> emissions will exceed SCAQMD thresholds during both types of operations, as shown in the table below (Table 2.3-7 in EIR).

**Table 4  
Unmitigated Operational Emissions Summary  
2019 DSRT SURF Project: Typical Operation vs. Special Events (lbs./day)**

	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Typical Operation:						
Area	0.13	0.00	14.16	0.00	0.00	0.00
Energy	7.48	8.91	0.98	0.05	0.68	0.68
Mobile	129.16	107.65	12.85	0.45	26.60	7.35
<b>TOTAL:</b>	<b>136.77</b>	<b>116.56</b>	<b>27.99</b>	<b>0.50</b>	<b>27.28</b>	<b>8.03</b>
<b>SCAQMD Threshold*</b>	<b>550.00</b>	<b>100.00</b>	<b>75.00</b>	<b>150.00</b>	<b>150.00</b>	<b>55.00</b>
<b>Exceeds Threshold</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Special Event Operation:						
Area	0.13	0.00	14.16	0.00	0.00	0.00
Energy	7.48	8.91	0.98	0.05	0.68	0.68
Mobile	173.61	143.63	17.13	0.61	35.96	9.94
<b>TOTAL:</b>	<b>181.22</b>	<b>152.54</b>	<b>32.27</b>	<b>0.66</b>	<b>36.64</b>	<b>10.62</b>
<b>SCAQMD Threshold*</b>	<b>550.00</b>	<b>100.00</b>	<b>75.00</b>	<b>150.00</b>	<b>150.00</b>	<b>55.00</b>
<b>Exceeds Threshold</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Source: Table 2.3-7 of the EIR.						

Projected NO<sub>x</sub> exceedances were largely associated with the number of vehicle trips expected to be generated at Project buildout. Approximately 94% of Project-related NO<sub>x</sub> emissions are due to motor vehicle trips. Because Project-related NO<sub>x</sub> emissions are directly linked to motor vehicle trip generation rates associated with the proposed land uses, the EIR determined there are no feasible ways to mitigate NO<sub>x</sub> emissions without changing project land uses, or project density.

The number of vehicle trips could be reduced, to some extent, by the use of alternative modes of transportation by those accessing the Project site. However, the EIR determined that the elective use of alternative modes of transportation by Project patrons could not be confidently quantified and applied as a mitigation measure. Therefore, operational impacts would continue to exceed NO<sub>x</sub> emissions, and impacts would be significant and unavoidable. The City determined

that the social and economic benefits of developing the DSRT SURF Project outweighed the severity of these impacts, and Findings and a Statement of Overriding Considerations were adopted.

Sensitive Receptors

The EIR analyzed Localized Significance Thresholds (LST) to determine whether the 2019 DSRT SURF Project would generate significant adverse localized air quality impacts to the nearest exposed individual or sensitive receptor. The nearest sensitive receptors to the proposed Project are resort residences approximately 150 feet to the west, in the Westin Desert Willow villas project. The Mass Rate Look-Up tables for LSTs were used to determine if the Project would have the potential to generate significant adverse localized air quality impacts during construction. The LST for Source Receptor Area (SRA) 30 (Coachella Valley) was used to determine LST emission thresholds. The distance from the emission source and the maximum daily site disturbance also determines emission thresholds. For analysis purposes, the worst-case scenario of a sensitive receptor being within 25 meters was used.

The EIR determined that LST thresholds are not expected to be exceeded for any criteria pollutant during construction. Because the proposed land uses do not include major stationary polluters (such as a landfill, chemical plant, oil field, refineries etc.), LST analysis was not conducted or required for Project operation. Therefore, impacts to sensitive receptors were determined to be less than significant.

**Table 5**  
**Localized Significance Thresholds**  
**25 Meters, 5 Acres**  
**(lbs per day)**

	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<b>Construction</b>	64.85	92.32	9.58	6.11
LST Threshold*	2,292.00	304.00	14.00	8.00
Exceed?	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Source: Table 2.3-8 of the EIR.				

Health Impacts

The 2019 DSRT SURF would exceed NO<sub>x</sub> emissions under both typical operations and during special events. During typical operations, the Project traffic is expected to exceed NO<sub>x</sub> emissions by 16.56 lbs. per day. During special events, which is assumed to be 12 times a year, the Project traffic is expected to exceed NO<sub>x</sub> emissions by 52.54 lbs. per day. As it relates to health impacts, short-term exposure to NO<sub>x</sub> can result in airway constriction and diminished lung capacity and is highly toxic by inhalation. Populations living near roadways are more likely to experience the effects of nitrogen oxides due to elevated exposure to motor vehicle exhaust.

The EIR determined that it is not scientifically possible to calculate the degree to which exposure to various levels of NO<sub>x</sub> emissions will impact an individual’s health with today’s technology. Although there is a scientific consensus that there are health risks associated with exposure to

elevated levels of NOx, there are several factors that make predicting a Project-specific numerical impact difficult:

- Not all individuals will be affected equally due to medical history. Some may have medical pre-dispositions and diet and exercise levels tend to vary across a population.
- Due to the dispersing nature of the pollutant and transient nature of vehicles (the emission source), it is difficult to locate and identify which group of individuals will be impacted, either directly or indirectly.
- There are currently no approved methodologies or studies to base assumptions on, such as baseline health levels or NOx emission level-to-health risk ratios.

On-site health risks associated with NOx were expected to be less than significant because the project is not located in proximity to a major roadway and will not be directly be exposed to concentrated vehicle emissions or elevated levels of NOx. However, for the reasons stated above, it is uncertain how the 2019 Project will impact health in the region. Because the Project's NOx exceedances are due to motor vehicle travel, and motor vehicle travel increases with population growth, it can be assumed that individuals in the region are already exposed to increasing levels of NOx emissions and that the Project will only marginally contribute to existing conditions. Additionally, Project emissions assume full capacity traffic conditions. In reality, the Project site will not reach capacity most days, especially in the winter months due to the seasonal nature of Project activities (surfing).

Due to the limitations described above, the EIR determined that the extent to which the 2019 Project poses a health risk is uncertain but unavoidable. It is anticipated that impacts associated with NOx will be less than significant overall, and will only pose a significant risk during summer special events due to the seasonal nature of Project activities and the reality that the Project is not expected to reach maximum capacity often, thus generating fewer vehicle trips.

#### Nuisance Odors

Certain commercial and industrial land uses may have the potential to cause odor impacts, including fast food restaurants, photographic studios, and laundry facilities, and other industrial uses. The 2019 DSRT SURF Project has the potential to result in short-term odors associated with operation of heavy equipment during grading, excavation, and other construction activities. However, construction-related odors would be temporary and quickly dispersed below detectable levels as distance from the construction area increases.

During Project operation, odors may be emitted from onsite restaurants and food service facilities; however, all facilities would be equipped with proper ventilation systems to effectively remove grease, smoke, and other odors. Therefore, the EIR determined that impacts related to nuisance odors would be less than significant and no mitigation measures were required.

#### Cumulative Impacts

Cumulative potential impacts to air quality are assessed on a regional scale given the dispersing nature of pollutant emissions and aggregate impacts from surrounding jurisdictions and air management districts. Any activity resulting in emissions of PM<sub>10</sub>, ozone, or ozone precursors will

contribute, to some degree, to regional non-attainment designations of ozone and PM<sub>10</sub>. However, the level of cumulative impact a single project may have on regional air quality is difficult to measure.

PM<sub>10</sub> is regulated through the SCAQMD 2016 Air Quality Management Plan and 2003 PM<sub>10</sub> Coachella Valley State Implementation Plan (CVSIP). Additional PM<sub>10</sub> reduction measures include applicable state code and AQMD Rules, such as Rule 403 (Fugitive Dust), which enforces fugitive dust compliance for all activities within the SSAB. The EIR determined the DSRT SURF Project would not exceed local daily thresholds for PM<sub>10</sub> during construction or operation. Therefore, cumulative impacts to PM<sub>10</sub> were considered less than significant.

As previously discussed, operational NO<sub>x</sub> emissions could not be reduced through conventional mitigation measures. Because NO<sub>x</sub> is a precursor to ozone, impacts were considered Significant and Unavoidable and would have cumulatively considerable impacts to regional non-attainment designation for ozone. The City determined that the social and economic benefits of developing the 2019 DSRT SURF Project outweighed the severity of these impacts, and Findings and a Statement of Overriding Considerations were adopted.

#### Mitigation Measures

The following mitigation measures were identified to improve operational air emissions. However, even with the implementation of these identified measures, mobile NO<sub>x</sub> emissions will not be reduced to less than significant levels. As previously discussed, there are no feasible ways to mitigate for NO<sub>x</sub> emissions that are directly linked to a land use vehicle trip rate. Therefore, operational impacts will continue to exceed NO<sub>x</sub> emissions under the current analysis methods, and impacts will be significant and unavoidable.

AQ-1 Electric Vehicle Charging Stations

At least 6% of all vehicle parking spaces shall include EV charging stations and 8% of all vehicle parking spaces shall include designated parking for clean air vehicles.

AQ-2 Delivery Vehicle Idling Time

Delivery vehicle idling time shall be limited to no more than five minutes. For any delivery that is expected to take longer than five minutes, the vehicle's operator shall be required to shut off the engine. The Project proponent shall notify vendors of these idling requirements at the time the delivery purchase order is issued and again when vehicles enter the facility. Signs shall be posted at entry to the facility's delivery area stating that idling longer than five minutes is not permitted.

AQ-3 Employee Commute

Any employer than employs 250 or more employees at a work site, on a full or part-time basis, shall implement an Employee Commute Reduction Program (ECRP) under SCAQMD Rule 2202, On-Road Motor Vehicle Mitigation Option.

- AQ-4 Paving and Roofing Materials  
Light-colored paving and roofing materials shall be utilized onsite, to the greatest extent practical.
- AQ-5 Energy Star  
Energy Star heating, cooling, and lighting devices, and appliances shall be installed onsite to the greatest extent practical.
- AQ-6 Sweepers  
Electric or alternatively fueled sweepers with HEPA filters shall be used onsite to the greatest extent practical.
- AQ-7 Lawn Maintenance  
Electric lawn mowers and leaf blowers shall be used onsite to the greatest extent practical.
- AQ-8 Cleaning Products  
Water-based or low VOC cleaning products shall be used to the greatest extent practical.
- AQ-9 Dust Control Plan: SCAQMD Rule 403.1  
SCAQMD Rule 403 (403.1 specific to the Coachella Valley): A Dust Control Plan shall be prepared and implemented by all contractors during all construction activities, including ground disturbance, grubbing, grading, and materials import and export. Said plan shall include but not be limited to the following best management practices:
- Treated and stabilized soil where activity will cease for at least four consecutive days;
  - All construction grading operations and earth moving operations shall cease when winds exceed 25 miles per hour;
  - Water site and equipment morning and evening and during all earth-moving operations;
  - Operate street-sweepers on impacted paved roads adjacent to site;
  - Establish and strictly enforce limits of grading for each phase of construction;
  - Wash off trucks as they leave the project site to control fugitive dust emissions
  - Cover all transported loads of soils, wet materials prior to transport, provide freeboard (space from the top of the material to the top of the truck) to reduce PM<sub>10</sub> and deposition of particulate matter during transportation
  - Use track-out reduction measures such as gravel pads at project access points to minimize dust and mud deposits on roads affected by construction traffic.
- AQ-10 Off-Road Emission Standards  
It shall be required that all off-road diesel-powered construction equipment meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during Project construction.

## Analysis of the Proposed Project

The EIR analyzed maximum daily emissions based on buildout of the 2019 Specific Plan. Similar to the EIR, air quality analysis considers the entire Project as a whole and the combined impacts associated with both on-site and off-site improvements and operations. The following provides a comparison of the assumptions made in the EIR versus proposed Project revisions.

- Grading:
  - The EIR determined construction would require the export of approximately 103,000 cubic yards of surplus earthen material to the Classic Club, which has a designated fill site for excess soils and is located approximately 3.5 miles northeast of the subject property.
  - The proposed Project would assume the same quantities as site conditions have not changed since certification of the EIR.
- Surf lagoon:
  - The EIR assumed buildout of a 6-acre surf lagoon per the Specific Plan. Details including water and energy demand were provided by the applicant.
  - The proposed Specific Plan does not change development standards of the lagoon and therefore the same CalEEMod assumptions would apply. The Precise Plan proposes a 5-acre lagoon, however 6-acres is assumed to represent potential maximum emissions. The same water and energy demand are assumed.
- General Commercial:
  - The EIR assumed 45,000 square feet, including the Surf Center (not including the 8,000 square feet of restaurant space, which is accounted for under “Restaurant/Bars”) and square footage for mechanical rooms, changing room, and other ancillary buildings proposed for Phase 1.
  - The proposed Specific Plan reduces the overall commercial by approximately 3,000 square feet (removal of standalone surf center ancillary uses). Therefore, it can be assumed that impacts associated with the revised Specific Plan would have a comparable or less intense impact to air quality when compared to the 2019 EIR and that previous CalEEMod assumptions would still apply. The Precise Plan proposes 12,323 square feet of surf center facilities, including ticketing, retail, lockers, control tower, maintenance space, and board and wetsuit rentals. This represents a 27% reduction in retail spaces compared to the previously analyzed Project.
- Restaurant/Bars:
  - The EIR assumed 11,250 square feet of restaurant/bar space which only accounts for Phase 1 restaurant space. The CalEEMod model assumed “hotels” would include restaurant space for Phase 2.
  - The proposed Specific Plan reduces the overall restaurant/bar space by removing the standalone east lagoon café and bar (up to 2,750 square feet). Therefore, it can be assumed that impacts associated with the revised Specific Plan would have a comparable or less intense impact to air quality when compared to the 2019 EIR and that previous CalEEMod assumptions would still apply. The Precise Plan



proposes approximately 3,271 square feet of restaurant/bar/grab and go cafe space, representing a 71% reduction in this space compared to the previously analyzed Project.

- Hotel and Villas:
  - The EIR assumed the maximum Specific Plan buildout of 350 hotel rooms and 88 villas, and it assumes a combined total 500,000 square feet for analysis purposes.
  - The proposed Specific Plan does not propose limits or changes to hotel and villa development quantities and therefore the same CalEEMod assumptions would apply. The Precise Plan proposes 92 hotel rooms and 83 villas. The total gross building area for the hotel is 68,689 SF (84,363 square feet with amenity deck) and 168,529 square feet of villas (183,476 square feet with roof decks). Therefore, total hotel and villa building structure square footage would be approximately 237,218 square feet, representing a 52% reduction compared to the 2019 Project.
- Parking:
  - The EIR assumed 520 parking spaces and a multi-level structure with elevator.
  - The proposed Specific Plan does not propose limits or changes to parking requirements, and therefore the same CalEEMod assumptions would apply. The Precise Plan proposes an above ground parking garage with elevator and 443 parking stalls. This represents a 14% reduction in parking compared to the previously analyzed Project.

#### Construction Emissions

The Specific Plan does not limit or change the maximum potential buildout assumptions made in the EIR, and impacts of maximum buildout potential of the site under the proposed Specific Plan would be virtually the same as those analyzed in the EIR. Construction on the property would still be phased, with lagoon and surf center construction occurring first, followed by villas and hotel construction. The Precise Plan would result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage, a 14% reduction in parking and the same off-site improvements compared to maximum buildout assumptions analyzed in the EIR. Therefore, emissions associated with buildout of the Precise Plan would be less intense than those previously analyzed in the EIR due to the reduction in overall development intensity and building square footage compared to maximum buildout of the Specific Plan. Similar to findings in the EIR, impacts related to criteria pollutant emissions during construction would be less than significant and no mitigation measures are required.

#### Long-term Operation Emissions

The Specific Plan amendment and proposed Project do not propose changes to operations or the frequency and size of special events when compared to that analyzed in the EIR. Therefore, impacts would be the same as those analyzed in the EIR. As previously discussed, the EIR determined that Project-generated operational emissions would not exceed SCAQMD thresholds for CO, ROG, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub> during typical operations or special events. However, Project-generated NO<sub>x</sub> emissions will exceed SCAQMD thresholds during both types of operations due to mobile trips. The City adopted Findings and a Statement of Overriding Considerations finding that significant adverse effects are acceptable because expected benefits of 2019 DSRT SURF Project



outweigh unavoidable adverse environmental impacts associated with the marginal increase in daily NOx emissions. The Project has not substantially changed, and the adopted Findings apply to the revised Project currently proposed. The proposed Precise Plan, as described above, will reduce the number of hotel rooms and villas analyzed in the EIR, and will result in lower air emissions than that analyzed in the EIR. The proposed Project will be subject to the Mitigation Measures included in the EIR. Although impacts associated with NOx emissions may exceed SCAQMD thresholds, the benefits of the Project, being equivalent to those analyzed in the EIR, outweigh the impacts, and the revised Project can rely on the adopted Findings and Statement of Overriding Considerations.

#### Consistency with Air Quality Management Plans

The proposed Project site is located within the Salton Sea Air Basin (SSAB) and will be subject to SCAQMD's 2016 Air Quality Management Plan (2016 AQMP) and the 2003 Coachella Valley PM<sub>10</sub> State Implementation Plan (2003 CV PM<sub>10</sub> SIP). The AQMP is a comprehensive plan that establishes control strategies and guidance on regional emission reductions for air pollutants. The AQMP is based, in part, on the land use plans of the jurisdictions in the region.

The proposed Project and Specific Plan amendment are consistent with the General Plan land use designation and approved 2019 Specific Plan. The 2016 AQMP is based in part on the land use plans of local jurisdictions, including the City of Palm Desert's General Plan. Therefore, it is expected that the proposed Project will result in emissions consistent with those anticipated in the 2016 AQMP. In addition, projects that are consistent with the projections of population forecasts in the 2016 RTP/SCS are considered consistent with the AQMP. The proposed Project is consistent with the City's land use designations and would not impact population, as employees of the proposed Project are expected to be residents of the City and region and the villas are anticipated to be for vacation purposes and for permanent residents. The site's land use designation allows for permanent residency; therefore, the AQMP has already accounted for a slight population increase for the site.

The proposed Project would be implemented in accordance with all applicable air quality management plans to ensure impacts to air quality are reduced to the greatest extent possible. Actions include, but are not limited to, the preparation of a standard dust control management plan in compliance with the CVSIP.

In conclusion, consistent with the findings of the EIR, the proposed Project is consistent with the assumptions underlying the AQMP and will not conflict with or obstruct implementation of the applicable air quality plan. No impact is anticipated.

#### Health Impacts

The proposed Specific Plan does not increase land use intensities or change development standards from those previously analyzed in the EIR, and therefore health related impacts are anticipated to be the same or less intense. The EIR determined that the extent to which the Project poses a health risk is uncertain but unavoidable. It is anticipated that impacts associated with NOx will be less than that analyzed in the EIR overall, and will only pose a significant risk during summer special events due to the seasonal nature of Project activities, thus generating fewer vehicle trips.

### CO Hot Spot Analysis

A CO Hot Spot is a specific location where sensitive receptors are exposed to high localized concentrations of CO. Motor vehicles, and traffic-congested roadways and intersections are the primary source of high localized CO concentrations. SCAQMD recommends an evaluation of potential localized CO impacts when a project causes the level of service (LOS) at a study intersection to worsen from C to D, or if a project increases the traffic volume (or demand) to capacity (V/C) ratio at any intersection rated D or worse by 2 percent or more. Level of Service (LOS) is a qualitative measure used to define the performance of a roadway system. Currently, the desired and optimal level of service for intersections and roadway segments within the City is LOS C; however, LOS D is considered the generally acceptable service level.<sup>5</sup>

Although the EIR did not provide a specific discussion of CO Hot Spot analyses, impacts can be inferred from results of the 2019 Project-specific Traffic Impact Analysis (TIA). The TIA determined that all 12 studied intersections were operating at acceptable LOS during one or more peak hours, except for the intersection at Cook Street and Market Place Drive, which is operating at LOS F during the PM peak hour only. The EIR determined that with installation of a traffic signal (Mitigation Measure TRANSP-1), the Cook Street and Market Place Drive intersection will operate at an acceptable LOS under all buildout scenarios. Expansion of the eastbound left turn lane on Market Place Drive at Cook Street to a minimum of 165 feet (Mitigation Measure TRANSP-2) would also reduce Project impacts at this intersection.

With mitigation, the EIR determined that none of the studied intersections would meet the evaluation criterion for a hot spot analysis, and therefore, the DSRT SURF Project (2019 or proposed) would not result in the creation of a CO hotspot. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations as the result of Specific Plan traffic, and impacts would remain less than significant.

### Nuisance Odors

The Project does not propose land uses that cause odor impacts, such as fast-food restaurants, photographic studios, and laundry facilities, and other commercial and industrial uses. Odors may be emitted from onsite restaurants and food service facilities; however, all facilities would be equipped with proper ventilation systems to effectively remove grease, smoke, and other odors. Similar to findings in the EIR, impacts related to nuisance odors would be less than significant and no mitigation measures are required.

### Summary of Impacts

Implementation of the Specific Plan amendment and proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact than those analyzed in the EIR. Overall impacts are expected to be less than those previously identified in the EIR due to the reduction in overall development intensity and square footage proposed in the Precise Plan. Therefore, implementation of the proposed Project and Specific Plan amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

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<sup>5</sup> Palm Desert General Plan (DEIR) – Page 4.15-14, The City of Palm Desert, 2016.

### 3.4. BIOLOGICAL RESOURCES

#### Summary of Findings in the EIR

The EIR included a comprehensive analysis of special-status and sensitive species, local habitats and vegetation communities, and jurisdictional waters in the Project area, including the Project site. The Project site lies at an elevation of 247 to 263 feet above mean sea level and is surrounded by a mix of golf resort development, residential areas, and commercial operations of the existing Desert Willow Golf Resort. It consists of three parcels: the two northern parcels consist of existing parking lots and have no native vegetation, while the southerly 14.65-acre parcel had been significantly impacted by development activities, including grading and the installation of irrigation systems. This parcel did contain some native vegetation dominated by brittle bush scrub. However, its disturbed condition results in poor quality native habitat.

The Project site is within the boundaries of the CVMSHCP/NCCP but is not within any designated Conservation Area. The Project site does not contain wetlands or riparian areas and therefore no impacts would occur.

#### Soils

According to the EIR, the Project site contains two distinct types of soils

- Myoma fine sand (MaB) – A nearly level soil (0 to 5 percent slopes) that is found on alluvial fans, lacustrine basins, and flood plains of the Coachella Valley. This soil type is found on nearly all of the Project site, except the southeasterly edge.
- Myoma fine sand (MaD) – A moderately sloping to rolling soil (5 to 15 percent slopes) that is found on dunes and alluvial fans. This soil type is found along the southeasterly edge of the Project site.

#### Vegetation Communities and Flora Species

A total of twenty-three (23) plant species were identified during the field survey, which occurred on July 18, 2018. The vegetation that occurs on the project site most closely resembles Desert Scrub, dominated by brittle bush scrub (*Encelia farinosa*). Other native plants observed include: scattered broom baccharis (*Baccharis sarothroides*), California croton (*Croton californicus*), scalebroom (*Lepidospartum squamatum*), Emory's indigo bush (*Psorothamnus emoryi*), and desert twinbugs (*Dicoria canescens*).

#### Wildlife

During the reconnaissance survey in 2018, a total of thirteen (13) vertebrate wildlife species (twelve birds and one reptile) and eight dragonfly species were detected.

Among the bird species observed were western kingbird (*Tyrannus verticalis*), Berwick's wren (*Thryomanes bewickii*), common raven (*Corvus corax*), greater roadrunner (*Geococcyx californianus*), and Costa's hummingbird (*Calypte costae*). No nesting birds were detected. One reptile, the desert iguana (*Dipsosaurus dorsalis*), was observed, and other common species,

including side-blotched lizard (*Uta stansburiana*) and Great Basin whiptail (*Aspidoscelis tigris tigris*), not seen during the site survey are likely to occur in the survey area. None of these are sensitive species.

Given the disturbed nature of the site, including conversion to asphalt parking areas, clearing, and installation of irrigation systems, the site is an island of poor-quality habitat surrounded by non-native developed areas. This results in poor habitat for native species, as many of these species require natural habitats of better quality.

#### Sensitive Species

A literature review was conducted to identify sensitive biological resources known from the Project vicinity. The results indicated that there is a potential for as many as 43 sensitive species to occur in the Project vicinity. As indicated in the EIR, many of the species known to occur in the general Project area are not expected to occur onsite or have “Very low” to “Low” occurrence probabilities due to lack of habitat, incorrect elevational range, degraded nature of the site, or other reasons. No sensitive species were observed or detected on the Project site during the biological survey.

#### Project Impacts

Construction of the Project would result in the direct disturbance and/or removal of soils, vegetation, and plant and animal species occupying the site.

Development of the surf lagoon and surf center will involve demolition of the existing parking lot, grading of 11.85 acres, and construction of the lagoon, buildings, and associated improvements. Development of the hotel and villas will result in grading and construction on 5.84 acres.

Off-site improvements, including those for stormwater management, golf course turf reduction and overflow parking would all occur on areas current disturbed and containing ornamental plantings.

The development of the Project will result in the disturbance of the entire site and areas where there will be off-site improvements. Impacts to biological resources would be consistent across all components of the proposed Project.

The EIR determined that due to the level of existing disturbance onsite from parking lot development, grading, installation of irrigation systems, development of surrounding parcels, and daily disturbances of human activity on the adjacent Desert Willow Golf Resort, there is a low potential for the Project to adversely impact sensitive biological species. Furthermore, the Surf Lagoon component of the Project will operate daily from 6 AM to 12 AM, resulting in constant motion on the surf lagoon. This water activity, combined with the human activity associated with surfers, will prevent water fowl from taking up residence in the Surf Lagoon.

No sensitive plant species were observed or detected on the Project site during the biological field survey. The following sensitive plant species were found to have a very low or low potential to occur on the Project site: 1) Coachella Valley milk-vetch, 2) Glandular ditaxis, 3) Abrams’ spurge, 4) Flat-seeded spurge, and 5) slender cottonheads. However, only marginally suitable

habitat occurs onsite, and due to the degraded nature of the site, Project-related impacts would be less than significant. Further, Coachella Valley milk-vetch and Glandular ditaxis are covered species under the CVMSHCP, and any Project-related impacts to them would be further mitigated through the payment of standard CVMSHCP developer impact fees (EIR Mitigation Measure BIO-1).

No sensitive wildlife species were observed or detected onsite during field surveys. The following sensitive wildlife species were found to have a very low or low potential to occur onsite: 1) prairie falcon, 2) loggerhead shrike, 3) black-tailed gnatcatcher, 4) burrowing owl, 5) vermilion flycatcher, 6) pocketed free-tailed bat, and 7) Western yellow bat. However, their occurrence potential is very low to low given a lack of suitable habitat onsite. Prairie falcon, loggerhead shrike, and black-tailed gnatcatcher would have no to low potential for nesting due to lack of suitable habitat, but could forage over the site. Pocketed free-tailed bat has a low potential to forage over the site, but would not be expected to roost onsite due to the lack of roosting habitat. In addition, Western yellow bat is a covered species under the CVMSHCP, and any potential Project-related impacts to it would be mitigated through payment of standard CVMSHCP developer impact fees.

The biologist determined that suitable burrowing owl habitat is present on the vacant portion of the Project site, however the species was not detected during site surveys. A focused burrowing owl survey was not performed as part of the survey effort. According to the California Department of Fish and Wildlife, projects not in a Coachella Valley MSHCP Conservation Area (the proposed Project site is not in a MSHCP Conservation Area) do not require burrowing owl protocol surveys, according to the Coachella Valley MSHCP Section 9, Burrowing Owl, page 9-143. However, they are still required by law (DFW codes and MBTA) to avoid take of burrowing owls. The EIR determined that Project-related impacts to the species will be mitigated through implementation of EIR Mitigation Measure BIO-3 which requires pre-construction surveys to identify any burrowing owls present onsite, and consultation with CDFW regarding the use of exclusion devices, if appropriate, to minimize impacts to the species.

Special-status bird species which may nest in the Project area are protected from take by the MBTA. Nesting bird surveys in compliance with the MBTA will mitigate any potential Project-related impacts to these species (EIR Mitigation Measure BIO-2). The surveys would determine whether nesting birds are present onsite immediately prior to site disturbance and, if present, prohibit project-related work within avoidance buffers until the young have fledged.

### Summary

The EIR determined that the 2019 Project would result in less than significant impacts to biological resources with implementation of Mitigation Measures BIO-1 through BIO-3 set forth in the EIR. Development conducted in adherence to these mitigation measures and existing federal, state, and City regulations would ensure potential impacts are reduced to less than significant levels.

## Mitigation Measures

### BIO-1 Payment of CVMSHCP Fees

The Project proponent shall be required to pay the CVMSHCP local development mitigation fee to mitigate for impacts to covered species and natural communities within the Project site.

### BIO-2 MBTA Compliance

For any grading or other site disturbance or tree or vegetation removal occurring during the nesting season between February 1st and August 31st, a qualified biologist shall conduct at least one nesting bird survey, and more if deemed necessary by the consulting biologist, immediately prior to initiation of project-related ground disturbing activities. If nesting birds are present, no work shall be permitted near the nest until the young birds have fledged. While there is no established protocol for nest avoidance, when consulted, the CDFW generally recommends avoidance buffers of about 500 feet for birds-of-prey, and 100 – 300 feet for songbirds .

### BIO-3 Burrowing Owl Surveys

A qualified biologist shall conduct two (2) take avoidance pre-construction burrowing owl surveys onsite. The first shall occur between 14 and 30 days prior to ground disturbance, and the second shall occur within 24 hours of ground disturbance. If burrowing owls are detected, the project proponent shall consult with CDFW to determine what course of action is needed, such as the use of exclusion devices (if applicable) to discourage owls from using burrows that are believed to be in jeopardy of being impacted by implementation of the project.

## **Analysis of the Proposed Project**

### Specific Plan and Precise Plan

Implementation of the proposed Specific Plan amendment and buildout of the currently proposed Project would not significantly change impacts to biological resources, because the Project site would be expected to be graded and fully disturbed under either the 2019 Project or the proposed Project. The implementation of either Project would result in similar impacts, and therefore less than significant impacts on biological resources with adherence to Mitigation Measures BIO-1 through BIO-3 set forth in the EIR.

The Project does not propose a land use designation change that would convert protected or open space lands to urban uses. The site is not located in a Conservation Area as defined by the CVMSHCP, and is subject to the payment of mitigation fees as identified in the EIR.

The Project site does not contain wetlands or riparian areas, and is not suitable as a migratory corridor because the site is surrounded by development on all sides. This would be true under either the existing or proposed Project.

### Off-Site Improvements

The Project does not propose changes to off-site improvements previously analyzed in the EIR. Being that no changes are proposed, impacts associated with off-site improvements would be the same as previously identified in the EIR. Buildout of off-site improvements would not result in any new adverse impacts or significantly increase the severity of previously identified significant impacts in the certified EIR. Therefore, impacts are considered less than significant.

### Summary

Overall, the proposed Project will not result in any new significant impacts or increase the severity of impacts already identified in the EIR with implementation of Mitigation Measures BIO-1 through BIO-3 set forth in the EIR. Development conducted in adherence to these mitigation measures and existing federal, state, and City regulations would ensure potential impacts are reduced to less than significant levels, consistent with the findings of the EIR.

## **3.5. CULTURAL AND TRIBAL RESOURCES**

### **Summary of Findings in the EIR**

#### Historic Resources

According to the EIR, roughly 40% of land within the one-mile radius of the Project site had been included in previous cultural resources studies completed over the past 30 years. Results of the Eastern Information Center (EIC) records search identified a total of 2 recorded cultural resources - one archaeological site and one isolate - within a one-mile radius of the site. Site 33-005080 (CA-RIV-5080) consists of small ceramic scatter and is located approximately a quarter-mile northwest of the Project area. The isolate, 33-012698, is comprised of a pottery sherd and a mano fragment located nearly three quarters of a mile to the northeast. Neither resource would be impacted by the Project.

The previous cultural resource study that included the Project site was completed in 1993 and involved an intensive-level survey of approximately 500 acres that now hold the existing Desert Willow Golf Resort. The 1993 survey noted the remains of 15 buildings constructed between 1952 and 1960 as being within the surveyed site. Two of those buildings were located within the currently proposed Project boundaries, but they were not formally recorded since they were less than 45 years old at the time. These buildings were “jackrabbit homesteads,” a term used to describe homes that were built rapidly as a result of post-WWII streamlining of the Small Tract Act of 1938. The 2018 cultural resource site survey conducted for the 2019 Project found that the two buildings and their remains are no longer visible onsite. The parking lot that is currently onsite was built between 2009 and 2011, but the remainder of the property has remained undeveloped. Therefore, the EIR determined that both on- and off-site improvements associated with the 2019 DSRT SURF Project would have no impact on historical resources because no such resources occur onsite.



### Archaeological Resources

No archaeological resources were observed during the site-specific cultural resources field survey, and none were found or recorded during previous surveys. The Project area is within the traditional use area of the Agua Caliente Band of Cahuilla Indians, and the potential exists for archaeological resources to be uncovered during ground-disturbing activities. The EIR found that although the site has been previously graded, features or artifacts of prehistoric origin may be uncovered during Project development, particularly since excavation for parking structure and pool and lagoon backwash drainage structure construction will be at greater depths than previously occurred. The EIR determined that this would represent a potentially significant impact. To reduce the impact, Mitigation Measure CUL-1 requires educating construction personnel about possible archaeological artifacts, human remains, and other cultural materials that could be uncovered during construction activities, pursuant to CEQA Guidelines § 15064.5. If any of those materials are unearthed during construction, Mitigation Measure CUL-2 would require further actions to secure those materials and assure their proper disposition. Overall, the EIR found that impacts to archaeological resources pursuant to § 15064.5 would be mitigated to less than significant levels through implementation of Mitigation Measures CUL-1 and CUL-2.

### Human Remains

The subject site and off-site improvement locations do not contain a formal cemetery; however, it is within the traditional use area of Native American tribes, and the potential exists for human remains to be unearthed during ground-disturbing activities, such as grading and excavation. During site excavation, California Health and Safety Code Section 7050.5 requires that all excavation stop, and that the County coroner inspect the site if remains are uncovered. Should the remains be identified as Native American by the coroner, the NAHC is required to contact the most likely descendant, and that descendant may recommend appropriate burial. This requirement, reflected in Mitigation Measure CUL-3 in the EIR, would assure that impacts associated with human remains are less than significant.

### Tribal Resources

AB 52 and SB 18 require that the consultation process between local and tribal governments begin prior to the release of an environmental impact report, negative declaration, or mitigated negative declaration. On February 8, 2019, the City of Palm Desert distributed AB 52 and SB 18 consultation letters for the Project to each of the following 13 Native American tribes identified by the NAHC as having traditional lands or cultural places within City boundaries. Written responses were received from 2 tribes. The Morongo Band of Mission Indians deferred to the Agua Caliente Band of Cahuilla Indians (ACBCI), and the ACBCI requested copies of cultural reports and site records.

Tribal representatives indicated that the site does not contain any tribal cultural resources. However, the site is within the Traditional Use Area of the ACBCI. Therefore, the potential exists for archaeological resources to be uncovered during ground-disturbing activities, including the deep excavation required for the parking structure and pool and lagoon backwash drainage structures. The inclusion of construction staff training, and the requirement for monitoring should resources be identified, will reduce these potential impacts to less than significant levels with implementation of Mitigation Measures CUL-1 and CUL-2.



### Summary

The cultural resources survey conducted for the DSRT SURF Project in 2018 evaluated a wide range of literature, data, and information on historic, archaeological, and tribal resources that has added to a baseline of knowledge and understanding of these resources. Tribal representatives were contacted for their knowledge, input, and coordination regarding the presence of tribal resources in the Project area. No historical resources were identified onsite as listed or eligible for listing under the California Register of Historical Resources or the National Register of Historic Places. No archaeological resources were identified onsite.

The potential for buried artifacts or resources to be unearthed during Project development exists; however, potential impacts would be mitigated to less than significant levels through implementation of mitigation measures.

### Mitigation Measures

- CUL-1 Worker Education Program: Prior to commencing any phase of Project ground disturbance, all personnel working onsite shall be required to complete a worker education program performed by a qualified archaeologist that describes potential archaeological artifacts, human remains, and other cultural materials that could be unearthed during the Project development process, and the procedures required in the event such a discovery is made.
- CUL-2 Monitoring: If buried cultural materials are encountered inadvertently during any earth-moving operations associated with the Project, all work within 50 feet of the discovery should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. The archaeologist shall prepare a findings report summarizing the methods and results of the investigation, including an itemized inventory and detailed analysis of recovered artifacts upon completion of field and laboratory work. The report shall include an interpretation of the cultural activities represented by the artifacts and discussion of their significance. The submittal of the report to the City and Tribal representative, as appropriate, along with final disposition of the recovered artifacts in a manner consistent with determination of the lead agency, Project archaeologist, and consulting tribes, will signify the completion of the monitoring program and, barring unexpected findings of significance, the mitigation of potential project impacts on cultural and tribal resources.
- CUL-3 Human Remains: Should buried human remains be discovered during grading or other construction activities, in accordance with State law, the County coroner shall be contacted. If the remains are determined to be of Native American heritage, the Native American Heritage Commission and the appropriate local Native American Tribe shall be contacted to determine the Most Likely Descendant (MLD).

## **Analysis of the Proposed Project**

### Specific Plan and Precise Plan

The majority of the proposed Project site is currently vacant, with the exception of the Desert Willow parking lot at the northern portion of the site, and contains sparse native vegetation. The proposed Project will disturb the same area of land as that analyzed in the EIR. Excavation activity will be similar, and somewhat reduced from that analyzed in the EIR, insofar as the subterranean parking garages proposed for the 2019 Project are not proposed under the current Precise Plan.

No historical, archaeological, or tribal resources were identified during the 2018 site survey. Development under either the 2019 Project or proposed Project would result in grading of the entire site, disturbance of off-site improvement locations, and equivalent earth moving activities. Impacts would therefore be identical under either condition. Should cultural resources be located on the site during grading and excavation, the impacts to these resources would be considered significant. In order to reduce these impacts to less than significant levels, the proposed Project will be required to implement Mitigation Measures CUL-1 through CUL-3 set forth in the EIR. Consultation was undertaken by the City for the proposed Project, and one letter was received from the ACBCI, requesting copies of the cultural resources reports. The Tribe was sent the reports and the EIR, and no further communication has occurred. The Tribe was satisfied with the mitigation measures provided in the EIR, insofar as they would mitigate any potential resources uncovered during Project construction.

### Summary

Overall, the proposed Project will not result in any new significant impacts or increase the severity of impacts already identified in the EIR. Development conducted pursuant to the mitigation measures set forth in the EIR, and in adherence to existing federal, state, and City regulations will ensure potential impacts associated with cultural resources are reduced to less than significant levels.

## **3.6. ENERGY**

### **Summary of Findings in the EIR**

Primary energy sources include nuclear energy, fossil energy (oil, coal and natural gas) and renewable sources like wind, solar, geothermal and hydropower. These primary sources are converted to electricity, a secondary energy source, which flows through power lines and other transmission infrastructure to developments.

### Electricity

The Project site is located within the SCE service area which covers approximately 50,000 square miles and serves approximately 4.4 million residential service accounts and 520,000 commercial service accounts. The California Energy Commission estimated that the total electricity consumption for Riverside County was 15,906.31 million kWh in 2017.<sup>6</sup> According to the Palm

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<sup>6</sup> California Energy Commission - California Energy Consumption Database for Riverside County, total electricity consumption for 2017.

Desert Greenhouse Gas Inventory Update, city-wide electricity usage in Palm Desert in 2013 was 756,834,386 kWh<sup>7</sup>. This includes all electricity consumed by municipal buildings, residential, commercial, and industrial land uses, and resorts and golf courses, combined. The report had not been updated at the time of the EIR, and a more recent estimate was not available. However, it can be assumed that current (2019) electricity usage per capita will be comparable to 2013, if not less, due to the increased energy efficiency standards of the California Building and Energy Codes.

Currently, the Project site is predominantly undeveloped and not using any electricity. A negligible amount of electricity is used by pole-mounted lights in the existing parking area. SCE distribution lines are located in proximity to Project site, from Portola Avenue, bordering Desert Willow Resort on the west, through Desert Willow Westin Villas, and along the northerly boundary of the Project site toward Desert Willow Drive and the existing clubhouse.

Electricity consumed during Project construction of both on-site and off-site improvements would vary throughout the construction period based on the construction activities being performed. Activities requiring electricity could include powering outdoor security or worksite lighting, operation and charging of electronic equipment, and powering a temporary worksite office or trailer. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction. Overall, electricity will not be the primary energy source used during construction. Instead, the use of equipment fuels such as diesel and petroleum will be the primary energy source, and impacts from consumption of electricity during construction would be less than significant.

During operation of the Project, energy would be consumed for multiple purposes including, but not limited to, heating/ventilating/air conditioning (HVAC), refrigeration, lighting, electronics, office equipment, residential and commercial machinery (including kitchen appliances), and swimming pool operations, including wave generation at the surf lagoon. Off-site improvements are limited to utility infrastructure expansion and landscaping improvements. Such improvements will not generate an operational demand for electricity and therefore have no impact on the electrical grid.

According to the CalEEMod outputs and Lagoon specific utility data<sup>8</sup>, the 2019 Project would consume approximately 21,711,725 kWh per year of electricity. This represents a 2.87% increase in annual city-wide kWh usage. The 2019 Project proposed the installation of solar panels onsite which could generate an estimated 1,700,000 kWh per year. Operation of the solar panels will offset the Project's electrical demand, thereby reducing it to approximately 20,011,725 kWh per year, which represents approximately 2.64% of the city's total annual electricity demand. In addition, adherence to current California Building Code and Energy Code standards will ensure the most energy efficient technologies and practices are used for the development and operation of the Project. The EIR determined the 2019 Project would not result in wasteful, inefficient, or

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<sup>7</sup> Palm Desert Greenhouse Gas Inventory 2013 Update.

<sup>8</sup> Per the Project-specific lighting plan, pole/tower lighting for the lagoon will have a max load of 39 kw for 7 hours per day (night lighting) for 365 days per year, totaling 99,645 kWh/yr. The average wave machine requires a maximum average load of 1,622 kw for 18 hours a day for 365 days per year, totaling 10,656,540 kWh/yr.

unnecessary consumption of electrical energy resources during project operation. Construction and operation-related electricity impacts associated with the surf lagoon, surf center, hotels, villas, and off-site improvements would be less than significant.

### Natural Gas

According to the Palm Desert Greenhouse Gas Inventory Update, city-wide natural gas consumption totaled 17,532,930 therms in 2013<sup>9</sup>. This includes natural gas consumed by residential, commercial, and industrial land uses, and resorts and golf courses. The report had not been updated at the time of the EIR, and a more recent estimate was not available. However, similar to statewide predictions, it can be assumed that the annual consumption of natural gas per capita within the City of Palm Desert would be comparable to 2013 or would decline. The Project site does not currently consume any natural gas.

Construction of the 2019 Project typically would not involve the consumption of natural gas. Construction would, however, involve installation of new natural gas connections to serve the Project site. Prior to ground disturbance, Project contractors would notify and coordinate with SoCalGas to identify the locations and depths of all existing gas lines and avoid disruption of gas service. The use of natural gas during Project construction would not be wasteful, inefficient, or unnecessary. Construction-related impacts to natural gas supplies and infrastructure were determined to be less than significant.

Operation of the Project would consume natural gas for heating, cooking, and powering equipment such as furnaces. According to the CalEEMod outputs and Lagoon specific utility data, operation of the Project at buildout would consume approximately 331,811 therms per year of natural gas, which is equivalent to a 1.89% increase in annual City-wide therm usage. Adherence to current California Building Code and Energy Code standards would ensure the most energy efficient technologies and practices are used for the development and operation of the 2019 Project. The EIR found that the Project would not result in wasteful, inefficient, or unnecessary consumption of natural gas energy resources during project operation.

### Transportation Energy

According to the Palm Desert Greenhouse Gas Inventory Update, there were 510,875,864 vehicle miles traveled in Palm Desert in 2013. This includes both the municipal fleet and community-wide miles traveled. It should be noted that the original 2008 inventory reported an annual VMT of 368,694,193, which represented a 35% increase in VMTs but only a 2% increase in CO<sub>2</sub>e emission. This difference in emissions is attributed to increased vehicle fuel efficiency standards meaning less fuel energy is required for increased VMTs. The undeveloped portion of the Project site currently generates no VMT.

Fuel consumed by construction equipment, such as petroleum and diesel, would be the primary energy resource expended over the course of construction, and VMT associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty construction equipment associated with construction

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<sup>9</sup> Palm Desert Greenhouse Gas Inventory 2013 Update.

activities, as well as haul trucks involved in moving dirt around the project area, would rely on diesel fuel. Construction workers would travel to and from the project area throughout the duration of construction. The EIR assumed that construction workers would travel to and from the project area in gasoline-powered vehicles.

According to the CalEEMod outputs generated for air quality analysis, it was assumed that worker trip lengths were 11 miles, vendor trip lengths 5.4 miles, and hauling trip lengths 3.5 miles. Based on the number of trips required to complete project construction that were generated by the CalEEMod software, combined VMTs for workers, vendors, and hauling would be 39,732 miles. Overall, petroleum and diesel use during construction would be temporary and minimal and would not be wasteful or inefficient. Construction-related transportation energy impacts associated with the surf lagoon, surf center, hotels, villas, and off-site improvements would be less than significant.

During operation, the 2019 Project would result in the consumption of petroleum-based fuels related to vehicular travel to and from the Project site. According to the Project-specific traffic analysis, the Project was estimated to generate 5,496 daily vehicle trips under typical daily operations, and 7,288 daily vehicle trips during a special event. Daily visitors will include a mix of local residents and out of town visitors. For analysis purposes, the EIR assumed that the average daily trip length was 25 miles. This accounts for local residents who are estimated to travel approximately 15 miles to the Project site from within the Coachella Valley, and out of town visitors who are estimated to travel further to the Project site from outside the valley. Based on this estimate, the Project could potentially generate 12,213,217 VMTs. This represents a 2.4% increase in City-wide VMTs. It should be noted that VMTs are regional in nature, and that not all Project VMTs will occur solely within the City's boundaries.

Although the 2019 Project will result in a direct increase in VMTs, the EIR found that the Project will not interfere with increased fuel efficiency standards and will not result in wasteful, inefficient, or unnecessary consumption of transportation energy resources during operation. Impacts were determined to be less than significant.

#### State and Local Energy Efficiency Plans

The 2019 Project would be designed, built and operated in accordance with all existing, applicable regulations that would serve to reduce energy demand and avoid conflict with any applicable energy standards, including energy conservation standards. Such regulations and standards included the 2016 Building Code, California Green Building Code, and 2019 Energy Code to ensure the most efficient construction/building technologies are used, which will benefit overall building operations. The 2019 Project included the installation of solar panels to reduce energy use in the surf center and might include solar installation in the hotel and villa component. The EIR found that the Project will not interfere with any state or local plan that promotes renewable energy or energy efficiency. Adherence to the applicable state standards enforced by the City will ensure the project is consistent with current energy standards and conservation goals. Therefore, no impact related to compliance with applicable energy standards would result.

### Summary

For the reasons described above, the EIR determined the 2019 DSRT SURF Project would not place a substantial demand on regional energy supply or require significant additional capacity, or significantly increase peak and base period electricity demand, or cause wasteful, inefficient, and unnecessary consumption of energy during project construction, operation, and/or maintenance, or preempt future energy development or future energy conservation. Therefore, this impact would be less than significant.

### **Analysis of the Proposed Project**

#### Electricity

Under both buildout scenarios (2019 and proposed), electricity would be consumed during construction and would vary throughout the construction period based on the construction activities being performed. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction.

During operation, electricity will be used for multiple purposes including but not limited to air conditioning, lighting, electronics, refrigeration and other kitchen appliances, powering the lagoon machinery, equipment and ancillary facilities. The EIR analyzed maximum buildout potential under the 2019 Specific Plan, and because the Project does not propose changes to the Specific Plan that would increase development intensities and maximum buildout potential, electricity impacts would be comparable to those analyzed in the EIR.

The Precise Plan would result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage. Therefore, demand for electricity generated by the proposed Precise Plan would further reduce future energy demands of the site. Adherence to current California Building Code and Energy Code standards, which are more stringent than those in place when the EIR was prepared, will ensure the most energy efficient technologies and practices are used for the development and operation of the Project. The Project reduces the use of electricity analyzed in the EIR, and therefore impacts remain less than significant.

#### Natural Gas

Construction of the Project site under any buildout scenario typically would not involve the consumption of natural gas. Construction would, however, involve installation of new natural gas connections to serve the Project site, and would be required under both buildout scenarios. As determined in the EIR, the use of natural gas during construction would not be wasteful, inefficient, or unnecessary.

Operation of the proposed Project would consume natural gas primarily for heating and cooking and powering equipment such as furnaces. The EIR analyzed maximum buildout potential under the 2019 Specific Plan, and because the Project does not propose changes to the Specific Plan that would limit or increase development intensities and maximum buildout potential, natural gas impacts would be comparable to those analyzed in the EIR.

The Precise Plan would result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage. Therefore, it can be assumed that demand for natural gas would further reduce future energy demands of the site. Adherence to current California Building Code and Energy Code standards will ensure the most energy efficient technologies and practices are used for the development and operation of the Project. The Project reduces the amount of natural gas analyzed in the EIR, and therefore impacts remain less than significant.

#### Transportation Energy

Under both buildout scenarios (2019 and proposed), transportation energy would be consumed during construction and would vary throughout the construction period based on the construction activities being performed. During construction, petroleum and diesel would be the primary fuel source consumed by construction equipment, material hauling equipment, and worker commutes. It is assumed that construction equipment would consume the most diesel fuel, while worker commutes would consume the most gasoline traveling to and from the project area in their private vehicles. Similar to assumptions made in the EIR, it is expected that most construction workers will live locally, which would minimize the need for long commutes and limit fuel consumption. Overall, petroleum and diesel use during construction of both on-site and off-site improvements would be temporary and minimal and would not be wasteful or inefficient.

During operation, the Project would result in the consumption of petroleum-based fuels related to vehicular travel to and from the Project site. The EIR analyzed maximum buildout and operational potential under the Specific Plan, and because the Project does not propose changes to the Specific Plan that would limit or increase daily operations or special events, impacts from vehicular travel would be comparable to those analyzed in the EIR. Development plans for the proposed Precise Plan would result in 258 fewer hotel rooms and 5 fewer residential villas than those assumed for maximum site buildout, which would reduce VMTs. The Precise Plan reduces the vehicle trips analyzed in the EIR, and therefore impacts associated with transportation energy will remain less than significant.

#### Summary of Impacts

Buildout of the site would be subject to the same General Plan policies, programs, and current SCAQMD Rules and Regulations analyzed in the EIR. Implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified impact as analyzed in the EIR. Overall impacts are expected to be less than those identified in the EIR due to the reduction in overall building space proposed in the Precise Plan. Therefore, implementation of the proposed Project and Specific Plan amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.



### 3.7. GEOLOGY/SOILS

#### Summary of Findings in the EIR

The Project area is located in the Colorado Desert Geomorphic Province. More specifically, the City is located within the central portion of the Coachella Valley where elevations range from approximately 5,100 feet above mean sea level (AMSL) in the Santa Rosa Mountains, to a low of about 60 feet AMSL in the Bermuda Dunes area. The City is primarily located on the desert floor, at an elevation of approximately 250 feet AMSL.

#### Fault Rupture (Primary Seismic Hazard)

The Project planning area is located within the central portion of the Coachella Valley, which is a rift valley associated with the San Andreas Fault System in Southern California. The valley is located in the northwestern portion of the Salton Trough, a tectonic depression roughly 130 miles long and 70 miles wide that extends from the San Geronio Pass to the Gulf of Mexico.

No portion of the City is located within a fault zone, as defined by the Alquist-Priolo Act. Based on information from the California Geological Survey, no known major active faults are located in the City. According to the EIR, the closest active faults to Palm Desert are the San Andreas fault, located approximately 4 miles to the north; the San Jacinto fault, located 10 miles to the southwest; and the Elsinore fault, located 30 miles to the southwest. These faults are capable of generating earthquakes of magnitude >5.0; however, fault rupture is not expected on the Project site

#### Seismic Groundshaking (Primary Seismic Hazard)

The Project site is located in a seismically active region where earthquakes originating on local and regional seismic faults can produce severe ground shaking. Although no active faults run through the City, Palm Desert's soils and geologic characteristics result in other potential secondary seismic hazards. The Modified Mercalli Intensity scale describes the magnitude of an earthquake in terms of actual physical effects. Six historic seismic events (M 5.9 or greater) have significantly affected the Coachella Valley region in the past 100 years.

To address seismic hazards, the City has codified the 2016 CBC in Municipal Code Section 15.24.010, which requires that structures be designed with adequate strength to withstand the lateral dynamic displacements induced by the Design Basis Ground Motion, which the CBC defines as the earthquake ground motion that has a 10% chance of being exceeded in 50 years. The Project is required to comply with the CBC and all California seismic design requirements, which would ensure that it would not expose persons or property to significant injury or damage from strong seismic ground shaking hazards.

To further minimize ground shaking and strengthen the building foundations, the site-specific Geotechnical Investigation Report for the 2019 Project included several recommendations, included as mitigation measures in the EIR. Implementation of mitigation measures GEO-6 and GEO-7 will ensure adequate uniform structural support for enclosed walls during strong seismic groundshaking events. GEO-10 requires appropriate Asphalt Concrete Pavement design and



construction measures to minimize potential damage to proposed structures if strong seismic ground shaking is encountered. GEO-13 requires compaction of up to 90% to minimize cracking of concrete flatworks.

Adherence to the CBC, California seismic design requirements, the City's Municipal Code, and the mitigation measures set forth in the EIR would ensure potential impacts related to seismic groundshaking would be less than significant.

#### *Expansive and Collapsible Soils (Primary Seismic Hazard)*

Expansive soils, also referred as swelling soils, are soils that have a tendency to increase in volume with an increase in the moisture content. These soils swell when water is added to them and shrink when they dry out. Foundations with swelling soils will heave and can cause lifting of a building or structure when the moisture content rises. This can ultimately lead to the failure of foundations and structures. No specific expansive soil area is identified in the City.

Collapsible soils are unsaturated soils that exhibit a high strength when dry but experience a large and rapid volume reduction upon saturation, which can result in substantial structural damage. Alluvial and aeolian sediments in the City have the potential for settlement and collapse even under relatively low loads. The surface soils on the Project site consist of silty sand, which has very low collapse potential.<sup>10</sup>

The site is located on relatively flat ground but could be subject to slope instability, collapse, or slumping during an earthquake, particularly in areas where excavation would be required, including both the subsurface parking garage and pool and Lagoon backwash drainage structures, and the surf lagoon. In order to minimize the potential for collapse, instability or slumping, mitigation measures GEO-1 through GEO-5 will assure that soil is clean, adequately compacted, and that excavated slopes remain stable during a seismic event. Due to a lack of expansive soils onsite, the proposed Project would not create a substantial risk to life or property. With implementation of these mitigation measures, the EIR found that impacts will be reduced to less than significant levels.

#### *Subsidence*

In the Coachella Valley, the main source of ground subsidence has been associated with the pumping of groundwater. Beginning in the late 1940s, pumping of groundwater resulted in water-level declines of as much as 15 meters. Since 1996, the U.S. Geological Survey (USGS) and Coachella Valley Water District (CVWD) have investigated land subsidence associated with groundwater level declines. Results show that the land surface subsided about 220 to 600 millimeters (0.72 to 1.97 ft) in three areas of the Coachella Valley near Palm Desert, Indian Wells, and La Quinta; the subsidence is associated with areas of substantial and on-going groundwater pumping.<sup>11</sup> The potential for groundwater extraction-related ground subsidence is considered to

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<sup>10</sup> Shalaby, S.Ibrahim: Potential Collapse for Sandy Compacted Soil During Inundation. International Journal of Innovative Science, Engineering and Technology, Vol. 4 Issue 5, May 2017.

<sup>11</sup> Land Subsidence, Groundwater Levels, and Geology in the Coachella Valley, California, 1993–2010 by Michelle Sneed, Justin T. Brandt, and Mike Solt.

be limited due to reduction in pumping in these areas and replenishment of regional groundwater aquifers with imported water.

As discussed in the EIR, the surf lagoon and surf center facilities would require approximately 88.32 AFY of domestic water and the hotel and villas portion of the site would require approximately 76.89 AFY of water, for a total of 165.21 AFY. After applying the water demand offsets associated with implementation of the proposed turf reduction program at the Desert Willow Golf Course (106.75 AFY), the net total water demand for the Project is expected to be 58.46 AFY.

The EIR identified that the Project will provide water for the surf lagoon in one of three ways: installation of a new groundwater well at the southeastern corner of the site; connection to the existing Desert Willow groundwater well located south of the site near Country Club Drive; or utilization of the potable water from CVWD. Water demand for the surf lagoon is 73.04 AFY, which represents 0.00025% of total water in storage. If the Project installs a new groundwater well on the site, the groundwater well will be metered and in compliance with requirements of the Regional Water Quality Control Board (RWQCB). Other components of the Project will be connected to CVWD's water distribution system. If the Project connects to the existing Desert Willow groundwater well located south of the site near Country Club Drive, then the project would require construction and extension of underground pipes to supply approximately 73.04 AFY per year. Otherwise, CVWD would provide approximately 73.04 AFY per year of water for the surf lagoon.

Overall, the EIR determined that no excessive withdrawal of water was anticipated at the site, and the potential for subsidence was considered low. Consequently, impacts from subsidence, liquefaction or collapse would be less than significant.

#### Soils and Geologic Units

According to the EIR, the majority of the City is underlain by fine drained sand of alluvial and aeolian deposition. During the Project-specific Geotechnical Investigation, approximately 2 to 3 feet of fill/disturbed soil was encountered whose composition and appearance varied throughout the depth of bores; however, density increased with depth. The artificial fill and native sandy soil encountered at the site are generally dry throughout and grayish brown in color.

#### Wind/Soil Erosion Hazard

The City of Palm Desert faces exposure to potential erosion hazards due to wind. Due to sparse desert vegetation, little groundcover exists to hold materials in place which accelerates the soil erosion at the surface. The sand dunes along Interstate 10 and the Whitewater River are the two most significant sources of wind-blown sand in the city. The subject site is not located in proximity to these areas, however the Project site is located in an area with a Very High Wind Erodibility rating.<sup>12</sup>

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<sup>12</sup> Palm Desert General Plan; Figure 8-3.

The EIR found that the Project would include demolition of the existing parking lot, excavation, site preparation, grading, paving, building construction, off-site improvements and other ground disturbance by heavy machinery that could result in the loss of some topsoil and generate particulate matter. Grading and construction activities would occur in accordance with erosion control requirements, including dust control measures, imposed by the City pursuant to grading permit regulations. Specifically, project construction would be required to comply with the City's Municipal Code Section 27.28.090<sup>13</sup>, including submittal and approval of grading permits to ensure that the project does not generate excessive soil erosion. City Municipal Code Sections 24.12.010<sup>14</sup> and 24.20.050<sup>15</sup> require preparation of a fugitive dust (PM<sub>10</sub>) mitigation plan and compliance with National Pollutant Discharge Elimination System (NPDES) standards prior to and during construction. Furthermore, Policy 1.13 (Soil Erosion) of the City's General Plan requires the prevention of water-born soil erosion from new development especially during grading activities.<sup>16</sup>

A Water Quality Management Plan (WQMP)<sup>17</sup> was prepared for the Project which included Best Management Practices (BMPs). These BMPs would be implemented during grading and construction to reduce sedimentation and soil erosion, and in compliance with City standards. Mitigation measures GEO-16 through GEO-18 were also provided to specifically address and mitigate the potential for soil erosion through watering or covering soils, and by prohibiting construction activities during significant storms or wind events. In addition, project construction contractors would be required to comply with City grading permit regulations<sup>18</sup>, which require dust control measures to reduce sedimentation and erosion.<sup>19</sup> Compliance with regulatory requirements, implementation of PM<sub>10</sub> mitigation plan, NPDES, and BMPs, and mitigation measures GEO-16, GEO-17, and GEO-18 would reduce potential impacts to less than significant levels.

#### Landslides (Secondary Seismic Hazard)

The Project site is currently partially developed and does not contain unstable soils or geologic units. No fissure or other surficial evidence of subsidence was observed at the Project site. Based on the Geotechnical Investigation Report for the 2019 Project, the site is not susceptible to on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; this is due to on-site conditions, distance from sloping terrain and foothills, and depth to groundwater.

Mitigation measure GEO-3 of the EIR required use of engineered fill free of unstable soil at the site to reduce potential risks associated with lateral spreading, subsidence, liquefaction or collapse for all components of the project. The EIR found that implementation of this mitigation measure would reduce impacts to less than significant levels.

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<sup>13</sup> Palm Desert Municipal Code 27.28.090 – Plans to Accompany Application.

<sup>14</sup> Chapter 24.12 Fugitive Dust (PM<sub>10</sub>) Control, Palm Desert Municipal Code 24.12.010 – Purpose and Intent.

<sup>15</sup> Palm Desert Municipal Code 24.20.050 - Discharge of pollutants.

<sup>16</sup> Palm Desert General Plan, City of Palm Desert 2016; Page 135.

<sup>17</sup> Preliminary Water Quality Management Plan for Tentative Map 37639 – DSRT SURF prepared by The Altum Group, December 31, 2018.

<sup>18</sup> Palm Desert Municipal Code 27.12.180 – Building Permits and Chapter 24.12 – Fugitive Dust (PM<sub>10</sub>) Control.

<sup>19</sup> Palm Desert Municipal Code 27.12.065 – Erosion Control.

### Liquefaction (Secondary Seismic Hazard)

Liquefaction occurs primarily in saturated, loose, fine to medium-grained soils in areas where the groundwater table is generally 50 feet or less below the surface. The site-specific Geotechnical Investigation Report for the 2019 Project indicated that the depth to groundwater is greater than 200 feet beneath the surface of the subject property, and therefore, onsite liquefaction is unlikely.<sup>20</sup> Therefore, potential impacts related to liquefaction would be less than significant.

### Seiches and Tsunamis

A seiche is defined as “an occasional and sudden oscillation of the closed water body (enclosed water body, lake, bay, estuary, etc.) producing fluctuations in the water level.” There are many causes of seiches, for example, wind, earthquakes, and changes in barometric pressure. The seiche hazard in the valley includes above-ground water reservoirs, golf course lakes and other impoundments. Domestic water reservoirs in the valley have been constructed to resist the effects of groundshaking that could compromise the integrity of these structures. The EIR found that the proposed surf lagoon will contain approximately 23,798,770 gallons of water and could present a seiche hazard; potential impacts were analyzed in the Hydrology Section, below.

### Wastewater Disposal Systems

Soils in the project area are capable of supporting septic tanks. However, the 2019 Project did not propose septic tanks. Therefore, the EIR found that there would be no impacts associated with subsurface waste disposal systems.

### Paleontological Resources

Paleontological resources are the remains and/or traces of prehistoric life, exclusive of remains from human activities, and include the localities where fossils were collected and the sedimentary rock formations from which they were obtained. In the Coachella Valley, paleontological resources are associated with the Lake Cahuilla sediments which generally consist of freshwater mollusks. The project site contains Quaternary-age alluvium in the subsurface which has an unknown paleontological resource sensitivity. The Project site is not known to contain unique paleontological features; however, construction activities have the potential to reveal Quaternary-age alluvium. To reduce the potential impacts to paleontological resources due to excavation activities, Mitigation Measure GEO-15 is provided in the EIR. A qualified paleontologist would be required to evaluate any buried paleontological materials discovered during earth-moving operations at the site to reduce Project impacts to less than significant levels.

### Summary of Impacts

Overall, the EIR found that adherence to the CBC, California seismic design requirements, the City’s Municipal Code, site specific Geotechnical Report, and the mitigation measures set forth in the EIR (and herein) would ensure potential impacts related to geologic hazards would be less than significant.

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<sup>20</sup> Geotechnical Investigation Report for the project site by Sladden Engineering in December 2018.



Mitigation Measures

GEO-1 Site Clearing: Prior to commencement of remedial grading within the site, all existing vegetation, associated root systems, and debris shall be cleared. Areas planned to receive fill shall be cleared of old fill and any irreducible matter.

GEO-2 At Grade Structure Areas Requirements: All undocumented artificial fill and low-density native surface soil shall be removed and re-compacted for the at-grade structures (e.g., spa building and cabanas). Over-excavation should extend to a minimum depth of 3 feet below existing grade or 3 feet below the bottom of the footings, whichever is deeper. The exposed native soil shall be moisture conditioned to within 2 percent of optimum moisture content and compacted to at least 90 percent relative compaction. Removals shall extend at least 5 feet laterally beyond the footing limits.

GEO-3 Fill Placement and Compaction: Engineered fill shall be free of organic material, debris, and other deleterious substances, and should not contain irreducible matter greater than 3-inches in maximum dimensions. The imported fill shall meet the following criteria:

Plastic Index	<12
Liquid Limit	<35
% Soil Passing #200 Sieve	Between 15% and 35%
Maximum Aggregate Size	3 inches

GEO-4 Shrinkage and Subsidence: Volumetric shrinkage of the material shall be between 10 and 15 percent.

GEO-5 Temporary Excavation: Temporary excavation up to 20 feet in depth may be required to accomplish the proposed construction. Excavations to depth of 20 feet shall have slope cuts no steeper than horizontal to one vertical (1:1).

GEO-6 Conventional Shallow Spread Footings: Adequate support for the proposed resort buildings and surf lagoon enclosed walls will be provided through Conventional Shallow Spread Footings.

GEO-7 Slabs-on-Grade: Concrete slabs-on-grade must be placed on compacted engineered fill to provide uniform support. A minimum slab thickness of 4-inches and a minimum reinforcement consisting of #3 bars at 18-inches on center in each direction shall be required.

GEO-7 Slabs-on-Grade: Concrete slabs-on-grade must be placed on compacted engineered fill to provide uniform support. A minimum slab thickness of 4-inches and a minimum reinforcement consisting of #3 bars at 18-inches on center in each direction shall be required.

- GEO-8 Structure Mat Slabs: Structure Mat Slabs shall be required for the below grade structures associated with the wave generating equipment which would meet an allowable soil bearing pressure of 3,000 psf.
- GEO-9 Retaining Walls: Subterranean parking levels and the surf lagoon would require retaining walls. Ground surface behind retaining walls shall be sloped to drain.
- GEO-10 Asphalt Concrete Pavement: This shall be designed in accordance with Topic 608 of the Caltrans Highway Design Manual to meet the following thickness for the site:

Pavement Material	Required Thickness
Asphalt Concrete Surface Course	3 inches
Class II Aggregate Base Course	4 inches
Compacted Subgrade Soil	12 inches

- GEO-11 Corrosion Series: Prior to ground disturbing activities, a corrosion expert shall be consulted regarding appropriate corrosion protection measures for corrosion sensitive installation.
- GEO-12 Utility Trench Backfill: All utility trench backfill shall be compacted to a minimum relative compaction of 90%.
- GEO-13 Exterior Concrete Flatwork: The subgrade soil below concrete flatwork areas shall first be compacted to minimum relative compaction of 90 percent to minimize cracking of concrete flatworks.
- GEO-14 Drainage: To provide rapid removal of surface water runoff to an adequate discharge point, all final grades shall be provided with positive gradients away from foundations. In addition, surface water shall be directed away from building foundations to an adequate discharge point to reduce water infiltration into the subgrade soil.
- GEO-15 If buried paleontological materials are discovered inadvertently during any earth-moving operations associated with the project, all work within 50 feet of the discovery shall be halted or diverted until a qualified paleontologist can evaluate the nature and significance of the finds.
- GEO-16 All project grading plans shall include a soil erosion prevention/dust control plan. Blowing dust and sand during excavation and grading operations shall be mitigated by adequate watering of soils prior to and during excavation and grading, and limiting the area of dry, exposed and disturbed materials and soils during these activities. To mitigate against the effects of wind erosion after site development, a variety of measures shall be implemented, including maintaining moist surface soils, planting stabilizing vegetation, establishing windbreaks with non-invasive vegetation or perimeter block walls, and using chemical soil stabilizers.

- GEO-17 There shall be a cessation of grading activities during rainstorms or high wind events. The project contractor shall install flow barriers and soil catchments (such as straw bales, silt fences, and temporary detention basins) during construction to control soil erosion.
- GEO-18 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of spillage or dust.
- GEO-19 Prior to ground disturbing activities, all employees at the construction site shall be trained in earthquake preparedness and identify safe places near the construction site to facilitate emergency evacuation.

### **Analysis of the Proposed Project**

#### *Specific Plan and Precise Plan*

The site would be fully developed, regardless of buildout scenario (2019 or proposed Project). The entire site will be disturbed, and the same mitigation measures associated with stabilizing soils and assuring adequate geotechnical design would apply to the proposed Project. The EIR analyzed maximum buildout potential under the Specific Plan. The proposed Specific Plan amendment would not increase the maximum development intensities, including site density and building heights, and therefore the Project would not generate new significant impacts or a substantial increase in previously identified impacts associated with geology and soils. Instead, impacts would be less intense due to the reduction in building square footage, hotel rooms, and villas associated with the Precise Plan.

Adherence to the City's Municipal Code, General Plan policies, Project-specific Geotechnical Report, and mitigation measures contained in the EIR would result in less than significant impacts, consistent with the findings of the EIR. Mitigation measures will apply to the currently proposed Project. Therefore, implementation of the proposed Project and Specific Plan amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

### **3.8. GREENHOUSE GAS EMISSIONS & ENERGY**

#### **Summary of Findings in the EIR**

Construction of the 2019 Project was anticipated to occur over a two-year period starting in mid-2019 with build out in mid-2021. Project components are listed below; during construction of each component, fossil fuel use by construction equipment, machinery, haul trucks, and employees' commuter vehicles will generate short-term GHG emissions.

- Surf Lagoon and Surf Center
- Hotel and Villas
- Off-Site Improvements:
  - Stormwater Management

- Pool/Lagoon Discharge
- Golf Course Turf Reduction
- Landscaping Improvements
- Special Events Parking
- Soil Removal/Storage

The California Emissions Estimator Model (CalEEMod), version 2016.3.2, was used to estimate Project-related GHG emissions during construction. The results are summarized in the following table. GHG emissions will be temporary and will end once construction is complete. All components of construction, including equipment, fuels, and materials, will be subject to current regulations of GHGs and equipment efficiency standards, which are meant to reduce GHG emissions. Construction emissions were amortized over a 30-year period and added to annual operational emissions to be compared to applicable GHG thresholds

**Table 6  
Construction GHG Emissions Summary  
2019 DSRT SURF EIR  
(Metric Tons)**

	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>Total CO<sub>2</sub>e</b>
2019	766.21	0.16	0.00	770.34
2020	1,404.68	0.17	0.00	1,408.87
2021	289.61	0.03	0.00	290.37
<b>TOTAL</b>	<b>2,460.5</b>	<b>0.33</b>	<b>0.00</b>	<b>2,469.58</b>
Table 2.8-1 of EIR.				

Operational emissions will occur throughout the life of the Project. At buildout, five emission source categories will contribute either directly or indirectly to operational GHG emissions: energy/electricity usage, water usage, solid waste disposal, area emissions (pavement and architectural coating off-gassing), and mobile sources. CalEEMod was used to estimate annual operational GHG emissions generated by the Project under two scenarios: 1) typical operations, and 2) special event operations. The table below shows daily emissions for a one-day special event. For analysis purposes, it was assumed that 12 special events would be held per year. Special event emissions have been added to typical operation emissions and amortized construction emissions, as shown below.

**Table 7  
Special Events Operational Emissions: 2019 DSRT SURF EIR**

	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>CO<sub>2</sub>e</b>
Pounds/Day	73,327.33	4.97	0.20	73,510.04
Conversion to Metric Tons	33.26	0.00	0.00	33.34
Table 2.8-2 of EIR.				



**Table 8**  
**Operational GHG Emission Summary: 2019 DSRT SURF EIR**  
**(Metric Tons/Year)**

	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>CO<sub>2</sub>e</b>
Typical Operations	16,907.63	24.91	0.12	17,565.85
12 Special Events <sup>1</sup>	399.12	0.00	0.00	400.08
Amortized Construction <sup>2</sup>	82.01	0.01	0.00	83.02
Total Operational Emissions				18,048.95
Table 2.8-s of EIR..				

The EIR assessed Project impacts using the SCAQMD tiered test approach, which states a project’s greenhouse gas emissions would be considered significant if it could not comply with at least one of the following “tiered” tests:

**Tier 1:** Is there an applicable exemption?

**Does Not Comply:** The proposed Project does not qualify for an applicable exemption under CEQA.

**Tier 2:** Is the project compliant with a greenhouse gas reduction plan that is, at a minimum, consistent with the goals of AB 32?

**Does Not Comply:** Although the City of Palm Desert has an adopted Environmental Sustainability Plan which is consistent with AB 32, the Project would not comply with Tier 2 because the Plan is not a CEQA certified document. SCAQMD requires that the “greenhouse gas reduction plan,” in this case the Sustainability Plan, have a certified Final CEQA document.

**Tier 3:** Is the project below an absolute threshold (10,000 MTCO<sub>2</sub>e/yr for industrial projects; 3,000 MTCO<sub>2</sub>e/yr for residential and commercial projects)?

**Does Not Comply:** The proposed Project is considered a commercial project and is estimated to emit 18,048.97 MT of CO<sub>2</sub>e annually.

**Tier 4:** Is the project below a (yet to be set) performance threshold?

**Does Not Comply:** There are currently no performance thresholds applicable to the proposed Project to measure against.

**Tier 5:** Would the project achieve a screening level with off-site mitigation?

**Does Not Comply:** The off-site mitigation proposed for the Project (Turf Reduction Plan) will offset water demands, but will not reduce Project GHG emissions to achieve a screening level.

The Project did not comply with any of the tiered tests presented above, and would therefore have significant and unavoidable impacts associated with GHG emissions. However, Mitigation Measure GHG-1 assured that the Project would adhere to the Palm Desert Environmental Sustainability Plan<sup>21</sup>, and its implementation would help reduce GHG emission impacts. In addition, all new development within the City is required to implement energy efficiency design

<sup>21</sup> It should be noted that adherence to the Environmental Sustainability Plan, which is consistent with AB 32, would not comply with Tier 2 because the Plan is not a CEQA certified document. SCAQMD requires that the “greenhouse gas reduction plan,” in this case the Sustainability Plan, have a certified Final CEQA document.

requirements consistent with the California Green Building Standards Code. Nonetheless, the EIR determined that the GHG emissions generated by the 2019 DSRT SURF Project were cumulatively considerable and significant and unavoidable. In its consideration of the EIR, the City determined that the social and economic benefits of the Project outweighed the severity of these impacts, and Findings and a Statement of Overriding Considerations were adopted.

#### Consistency with Greenhouse Gas Emissions Reduction Plans

All components of construction and operation, including equipment, fuels, materials, and management practices, would be subject to current SCAQMD rules and regulations related to greenhouse gases. The Project will also adhere to the required state Low Carbon Fuel Standard for construction equipment and heavy-duty vehicle efficiency standards.

Construction-related GHG emissions would not exceed GHG thresholds for construction because no such thresholds have been established. However, because the Project would result in significant and unavoidable impacts, as discussed above, the EIR determined that the Project would conflict with GHG reduction goals because operation of the Project would either exceed or not comply with SCAQMD's interim tiered thresholds. By exceeding such thresholds, the Project is contributing to GHG emissions at a level that is not conducive to reducing state and local GHG emissions. Although implementation of Mitigation Measure GHG-1 will assure the Project complies with the Palm Desert Environmental Sustainability Plan, the EIR determined that impacts were considered significant and unavoidable. As described above, the City determined that the social and economic benefits of the Project outweighed the severity of these impacts, and Findings and a Statement of Overriding Considerations were adopted.

#### Mitigation Measures

GHG-1 The Project shall implement the policies of the Palm Desert Environmental Sustainability Plan applicable to its development. The Project shall adhere to the following principals, goals, and actions:

- Adherence to California Building Code, Title 24;
- Assess potential for light-colored surfaces and shading to reduce urban heat island effect;
- Incorporate solar power;
- Use water efficient technologies to reduce water waste;
- Require mandatory waste diversion of 100% inert and 75% other debris from residential, commercial, and construction debris;
- Promote programs that replace turf with native low water-use plants, trees, ground cover and "hard-scapes," including the redesign of golf courses to reduce the amount of irrigation required;
- Use "desert style landscaping" and require "time-of-use" irrigating to reduce evaporation.

## **Analysis of the Proposed Project**

### *Specific Plan and Precise Plan*

The Specific Plan amendment does not limit or change the maximum potential buildout assumptions made in the EIR, and therefore impacts of maximum buildout potential of the site under the proposed Specific Plan would be virtually the same as those analyzed in the EIR.

The Precise Plan would result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage, a 14% reduction in parking and the same off-site improvements compared to maximum buildout assumptions analyzed in the EIR. Because the entire site would be graded and constructed upon, GHG emissions associated with construction of the Precise Plan would be equivalent to those analyzed in the EIR. Operational emissions associated with buildout of the Precise Plan would be less than those previously analyzed in the EIR due to the reduction in overall development density and building square footage.

Implementation of the Specific Plan amendment and proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as analyzed in the EIR. Overall impacts are expected to be less than those previously identified in the EIR due to the reduction in overall development intensity and square footage proposed in the Precise Plan. Impacts are expected to remain significant and unavoidable, however, because of the number of vehicle trips and energy use associated with the proposed Project. Because the Specific Plan and proposed Project are consistent with the analysis of the EIR, however, the Findings and Statement of Overriding Considerations which applied to the 2019 Project are applicable to the currently proposed Project.

## **3.9. HAZARDS & HAZARDOUS MATERIALS**

### **Summary of Findings in the EIR**

The Riverside County Department of Environmental Health Hazardous Materials Branch is responsible for overseeing the six hazardous materials programs in the County, including in the City of Palm Desert. The County-wide Hazardous Materials Emergency Response Team consists of personnel from the Riverside County Fire Department and Environmental Health HazMat Program staff. This team responds jointly to hazardous materials incidents in the County and any CalFire-contracted city, including Palm Desert. The City implements regular consultation with the State Water Resource Control Board (SWRCB) and Regional Water Quality Control Board (RWQCB), and also monitors and regulates industrial plants and commercial areas through the City's Municipal Code.

### *Areas with Potential Hazardous Materials Contamination*

SWRCB maintains an online database (GeoTracker) which includes information on existing locations of hazardous waste sites and their status. According to the GeoTracker database at the time the EIR was prepared, 40± sites within the City were either listed or permitted as hazardous material sites under the California Department of Toxic Substances Control (DTSC). No hazardous material site was recorded at the Project site.

Government Code Section 65962.5 requires the California Department of Toxic Substances Control (DTSC) compile and regularly update a list of hazardous waste sites, known as the Cortese List. No properties in the Planning Area were identified on the DTSC's Cortese List.

#### Transportation of Hazardous Materials

Major transportation corridors such as Highway 111 or Interstate 10 (I-10) may be used to transport hazardous materials and represent accident risks that could result in releases of hazardous materials. The City does not designate specific haul routes for hazardous materials; however, the California Highway Patrol (CHP) must be notified when acutely toxic hazardous materials are transported.

#### Airports

The Bermuda Dunes Airport (UDD) is a privately owned public use airport located 5 miles east of the Project site in the Palm Desert sphere of influence (SOI) and offers charter flights, hangar rentals, and a flight school. The Palm Springs International Airport (PSP) is located approximately 9 miles west of the City and is the largest and primary air transportation link for the region.

#### Schools

The Project site is within the Desert Sands Unified School District (DSUSD) service boundary. The nearest elementary school is James Earl Carter Elementary School, located approximately 1.10 miles southwest of the project site. No school sites are located within a quarter mile of any component of the proposed Project.

#### Wildfire

The City of Palm Desert is exposed to fire-related hazards from two potential sources: wildfires and fires that occur in urban settings. Wildfire hazards are highest in areas of the community near the wildland-urban interface (WUI). Southern portions of the City are susceptible to the risk of wildland fires. To reduce the wildfire risk, the City has adopted an emergency response plan which established procedures for fire conditions. The Project is located in the urban core of the City, and more than three miles from an area of wildland fire potential.

#### Emergency Response and Evacuation Routes

The primary emergency evacuation routes in the City of Palm Desert include I-10, Highway 111, Monterey Avenue, Portola Avenue, Cook Street, and Washington Street. The project site is located between Portola Avenue and Cook Street, which provide access in an emergency for the majority of the central city. The project is not proposing to modify any City roadway.

#### Project Impacts

Construction of the 2019 Project, including both on- and off-site improvements would involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with the manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations.



Operational activities that would occur at the site would involve the use of limited quantities of hazardous materials. The surf lagoon would use cleaning equipment and chemicals to maintain the pH levels for surfers. The hotel and residential units would also involve use of limited quantities of hazardous materials such as cleaning and degreasing solvents, fertilizers, pesticides, and similar materials. These chemicals will be transported and stored within the project site in limited quantities and will not require a hazardous material handling/storage permit. Quantities stored at the site would be comparable to typical commercial uses, and would be regulated by State and local law, including Fire Department regulations requiring proper storage and inspection. These regulations, including those imposed by both the County of Riverside and the Fire Department, are designed to lower impacts to less than significant levels. Therefore, the EIR determined that long-term impacts would be less than significant.

Access for emergency vehicles would be maintained throughout Project construction and operation. Appropriate traffic management and control plans would be followed pursuant to mitigation measures TRANSP-15 through -19 in the EIR (see the Transportation and Traffic Section). During normal operations, the Project will not impact existing evacuation routes, as it does not propose any change in the street grid. Emergency access to the site will be provided via the internal loop road, and an emergency access point will be located at Willow Ridge Road, in addition to the two public access points onto Desert Willow Drive.

Special events would occur on-site, increasing traffic on major roadways such as Country Club Drive, Portola Avenue, Cook Street, and Frank Sinatra Drive. However, this increase in traffic will not cause significant deterioration in roadway operations, as described in the Project TIA. In addition, to control the traffic on these roads, a Special Event Traffic Management Plan would be prepared for each special event., as described in Mitigation Measures TRANSP-5 though -14 in the EIR. With implementation of these measures, daily operations and special events would not physically interfere with emergency response or evacuation plans. The EIR determined that impacts would be less than significant with implementation of these mitigation measures.

The EIR determined that the Project site is not within the land use plan for the Bermuda Dunes Airport, and would have no impact on its operations. The EIR further determined that the Project site is located on the valley floor, and not subject to wildfires.

The EIR determined that with the imposition of mitigation measures relating to traffic operations at and surrounding the site, and compliance with and enforcement of existing federal, state, and local laws and regulations concerning the handling, transport, or disposal of hazardous materials impacts would be reduced to less than significant levels

#### Mitigation Measures

See Mitigation measures (TRANSP-5 through TRANSP -14 and TRANSP -15 through -19) provided in Section 3.16.

## **Analysis of the Proposed Project**

Currently (2021) within the City there are no hazardous waste sites listed on the Cortese List and there are no LUFT sites listed in proximity to the Project site per the SWRCB GeoTracker.

### *Specific Plan and Precise Plan*

The proposed Specific Plan amendment would not result in changes to development intensities or densities that would increase the severity of impacts, therefore impacts associated with the proposed Specific Plan would be the same as those analyzed in the EIR.

Buildout of the revised Precise Plan has the potential to result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage, a 14% reduction in parking and the same off-site improvements compared to maximum buildout assumptions analyzed in the EIR. Therefore, construction and operational emissions associated with buildout of the Precise Plan would be less intense than those previously analyzed in the EIR due to the reduction in overall development density and building square footage, and a parallel reduction in the less than significant impacts identified in the EIR would occur.

Implementation of proposed Specific Plan amendment and revised DSRT SURF Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. Overall impacts are expected to be less than those previously identified in the EIR due to the reduction in hotel rooms, residential density, and overall building square footage proposed in the Precise Plan. Therefore, implementation of the proposed Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

## **3.10. HYDROLOGY/WATER QUALITY**

### **Summary of Findings in the EIR**

The City of Palm Desert is located at the southwesterly boundary of the Colorado River Hydrologic Region (HR) in the Whitewater River Hydrologic Unit (HU) and falls under the jurisdiction of the Colorado River Regional Water Quality Control Board (Region 7). Within the Whitewater River Hydrologic Unit, the Project site lies in the Whitewater River watershed.

### *Surface Water and Drainage Patterns*

The Whitewater River is the principal drainage course in the Coachella Valley; it is typically dry, but flows southeasterly when it carries water. The Whitewater River has a total drainage area of approximately 850 square miles and drains areas as far away as the summit of Mount San Gorgonio and the steep southern and eastern slopes of Mount San Gorgonio. The majority of local surface water is derived from runoff from the San Bernardino and San Jacinto Mountains with lesser amounts from the Santa Rosa Mountains. This runoff either percolates in the streambeds or is captured in mountain-front debris basins where it recharges the groundwater basin.

The Coachella Valley Water District (CVWD) and the Riverside County Flood Control and Water Conservation District are responsible for the management of regional drainage within and in the vicinity of Palm Desert, including rivers, major streams and their tributaries, and areas of significant sheet flooding. Topographically, the Project site consists of flat terrain with a gradual slope toward the south.<sup>22</sup> Stormwater percolates into ground surface soils or sheet flows to the south. There are no streams or rivers onsite.

The 2019 Project would alter existing drainage patterns both on- and off-site, but proposed stormwater management improvements were designed to adequately manage Project drainage such that the Project will not result in substantial erosion or siltation.<sup>23</sup> The designed drainage system met all standards of rainstorm protection as adopted by the City of Palm Desert. Drainage waste areas are already available off-site to retain the 100-year storm event, and there will be no adverse impact, because the Desert Willow drainage plan was designed to accommodate all 100 year storm flows throughout the development. The Project drainage plans integrate into the existing Desert Willow drainage program, and tie into the existing facilities to the northwest and southeast of the site. The 2019 Project also included a WQMP which provides for BMPs to control erosion and sedimentation entering the proposed drainage pipes. These requirements, to be implemented by mitigation measure HYD-1, will assure that impacts associated with erosion and siltation are reduced to less than significant levels.

Off-site improvements would be undertaken to City standards, including storm water BMPs included in both WQMP(s) and SWPPP(s) for these parts of the Project. Because these off-site improvements will be subject to mitigation measure HYD-1 and HYD-2, and with City requirements for the protection of surface waters, impacts associated with off-site improvements will be reduced to less than significant levels.

### Groundwater

The Whitewater River Groundwater Basin underlies the valley which generally extends from the Whitewater River in the northwest to the Salton Sea in the southeast. The aquifer is naturally subdivided by fault barriers into subbasins, which are further divided into subareas. Desert Water Agency (DWA) and the Coachella Valley Water District (CVWD) jointly utilize and manage a replenishment program for the local groundwater basin, the Upper Whitewater River Subbasin. Estimates of groundwater storage in the Upper Whitewater River Subbasin range from 10.5 to 14.2 million acre-feet. In total, the subbasins underlying the Coachella Valley contain approximately 39.2 million acre-feet of water in storage, of which about 28.8 million are within the Whitewater River Subbasin. Natural recharge from precipitation and runoff, supplemented with artificial recharge from imported Colorado River, State Water Project water, and recycled water from wastewater treatment plants also provide water to the Coachella Valley.

The Project site is located within the CVWD service area, where urban water demands are estimated to grow from 114,600 AFY in 2020 to 194,300 AFY in 2040. The Project would require approximately 88.32 AFY of water at buildout of both the lagoon and surf center and

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<sup>22</sup> Geotechnical Investigation Report prepared by Sladden Engineering in 2018 (Page 2).

<sup>23</sup> Preliminary Hydrological Report for Tentative Tract Map No. 37639 – DSRT SURF prepared by The Altum Group, December 3, 2018.

approximately 76.89 AFY of water for the Hotel and Villas Planning Area, resulting in a total demand approximately 165.21 AFY of water at buildout. This is approximately 0.14 percent of CVWD's anticipated 2020 total urban water demand of 114,600 AF, and approximately 0.09 percent of CVWD's anticipated 2040 total urban water demand of 194,300 AF. After applying the water demand offsets associated with implementation of the proposed turf reduction program at the Desert Willow Golf Course (106.75 AFY) provided in Mitigation Measure HYD-4, the net total water demand for the Project is expected to be 58.46 AFY. This represents approximately 0.05 percent of the total projected water supply of 114,600 AF for 2020, and would represent 0.03 percent of the total projected water supply of 194,300 AF for 2040.

The EIR determined that water demands for off-site improvements would be negligible and primarily associated with temporary construction activities. Less than significant impacts are expected.

The Project will provide water for the lagoon in one of three ways: installation of a new groundwater well at the southeastern corner of the site; connection to the existing Desert Willow groundwater well located south of the site near Country Club Drive; or utilization of potable water from CVWD. Water demand for the lagoon is projected to be approximately 73.04 AFY per year. If the Project installs a new groundwater well on the site, then approximately 73.04 AFY of groundwater would be extracted every year for the surf lagoon. The groundwater well will be metered and in compliance with requirements of the Regional Water Resources Control Board (RWRCB). Other components of the Project will be connected to CVWD's domestic water distribution system. If the Project connects to the existing Desert Willow groundwater well located south of the site near Country Club Drive, then the Project would need construction and extension of underground pipes to supply approximately 73.04 AFY per year. Otherwise, CVWD would provide water for the lagoon.

As described in the EIR and WSA, CVWD has sufficient water supplies to meet the demands of the Project for the next 20 years and the 2019 Project, including off-site improvements, will not substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

#### *Flood Hazards and Stormwater Runoff*

Stormwater flows and flash flood runoff from the Indio Hills and the foothills of the San Jacinto and San Bernardino Mountains generate flooding hazards in the City. The majority of the northern portion of the City, north of I-10, is located within the 100- or 500-year flood zone. The Project site is not located within the 100- or 500-year flood zone.<sup>24</sup> According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the site is located in Zone D, which represents "areas in which flood hazards are undetermined, but possible." No Project structures would be placed within a 100-yr flood hazard area such that flood flows would be impeded or redirected.

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<sup>24</sup> Palm Desert General Plan, City of Palm Desert, 2016 – Figure 8.4.



Construction impacts due to development of the entire Project area, including off-site improvements, would be minimized through compliance with the General Construction Activity Stormwater Permit, including implementation of a SWPPP and the MS4 Permit. The 2019 Project would not alter a floodway in a manner that would redirect or impede flow during construction, and impacts will be less than significant.

The Project's planning areas are divided into four sub-areas, from where storm water will be conveyed to three existing drainage waste areas via underground pipes. These pipes will be constructed to City standards, and will carry storm flows after they have been treated by the Best Management Practices (BMPs) specific to the Project site per the Water Quality Management Plan (WQMP).

Based on the hydrological analysis discussed in the EIR, the existing drainage waste areas and lake in the Desert Willow Golf Course have adequate capacity to accommodate projected flows from all components of the 2019 Project. While the Project would increase the amount of impervious surfaces on the site, the proposed drainage plan includes well-connected drainage areas that would retain runoff during storm events, allowing it to be released in a metered fashion that can be accommodated by the storm drain system.

The National Pollutant Discharge Elimination System (NPDES) mandates that plans and programs for stormwater management be developed, adopted, and implemented to assure that municipalities "effectively prohibit non-stormwater discharge into storm drains, and requires controls to reduce the discharge of pollutants from stormwater systems to waters of the United States to the maximum extent possible." The City of Palm Desert is a co-permittee with the County of Riverside, CVWD, Riverside County Flood Control and Water Conservation District, and municipalities in the Whitewater River subbasin for NPDES management. The Palm Desert Public Works Department manages the City's NPDES program.

The Project site, including off-site improvements, is not in a flood hazard or tsunami inundation zone and would not be subject to inundation by a flood or tsunami. In addition, the surf lagoon would be a reinforced concrete structure to contain the seismically-induced oscillations within the lagoon without any structural damage to result in spill over or release of pollutants. Less than significant impacts are anticipated.

Overall, the Project would generate runoff due to increased amounts of impervious surfaces; however, it is not anticipated to create or make a significant contribution to runoff which would exceed the capacity of the existing storm drain system within the Desert Willow Golf Course and add substantial additional sources of polluted runoff. With compliance with the MS4 Permit, and implementation of Mitigation Measures HYD-1 through HYD-3, the operational impacts would be less than significant.

#### Water Quality

Groundwater quality in the Coachella Valley varies with depth, proximity to faults and recharge basins, presence of surface contaminants, and other hydrogeological or human factors. CVWD conducts water quality monitoring in accordance with federal and state drinking water

requirements and analyzes water samples for more than 100 regulated and unregulated substances. Based on the most current water quality report available at the time of the EIR (CVWD 2017-2018), drinking water delivered from CVWD's potable water system supplied from groundwater wells complied with all state and federal drinking water quality regulations.<sup>25</sup>

Two naturally occurring substances, arsenic and chromium-6, are among the over 100 constituents that are monitored in the Coachella Valley's groundwater supply. CVWD treats some of its groundwater wells to reduce arsenic and chromium-6 levels in the drinking water supply and is conducting ongoing water treatment efforts to reduce chromium-6 levels delivered from groundwater wells.

The Project is required to comply with a number of regulations designed to reduce or eliminate construction-related water quality effects, including the National Pollutant Discharge Elimination System (NPDES), which will regulate stormwater discharges to surface waters during construction of the lagoon and surf center. Adherence to NPDES protocols will protect the quality of surface waters from potential construction-related impacts. A Preliminary Water Quality Management Plan (WQMP) was prepared for the proposed Project which includes Best Management Practices (BMPs) specific to the Project site. Mitigation Measures HYD-1 and HYD-3 will effectively reduce or avoid the discharge of any pollutants of concern that might enter nearby receiving waters by establishing limits of construction and the use of a variety of standard practices. Implementation of these mitigation measures will minimize impacts to surface water quality without substantially degrading surface or groundwater quality.

In order to assure that sediment and silt are controlled, mitigation measures HYD-1 and HYD-2 were provided in the EIR, requiring the implementation of WQMP BMPs and the stabilization of exposed soils. These mitigation measures will assure that impacts to water quality related to sediments will be reduced to less than significant levels.

The EIR determined that buildout of the 2019 Project would increase the amount of impervious surface area, thereby increasing the total volume and peak discharge rate of stormwater runoff and associated pollutants. At Project buildout, runoff from the lagoon and surf center could contain pollutants common in urban runoff, including metals, oils and grease, pesticides, herbicides, nutrients, pet waste, and garbage/litter. Without BMPs to remove these pollutants, stormwater leaving the lagoon and surf center site could degrade the quality of receiving waters. To reduce urban runoff impacts associated with potential pollutants, the city's General Plan contains policies with requirements that address surface water quality impacts. For example, the City requires on-site stormwater retention and infiltration to improve stormwater quality and reduce flows into the storm drain system. Furthermore, the City of Palm Desert Municipal Code Chapter 24.20 establishes requirements for stormwater and non-stormwater quality discharge and control by prohibiting discharges of pollutants or waters containing pollutants that cause or contribute to a violation of applicable water quality standards

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<sup>25</sup> Coachella Valley Water District 2017-2018 Water Quality Report Annual Review Report.

The surf lagoon will be a “self-treating area,” which will be required to meet water standards for users. Water from the lagoon will be treated prior to discharging to the artificial lake located south of the golf course via an evacuation line. According to the hydrological map, the surf center and associated parking structure are located in sub-drainage areas 3 and 4. Stormwater from sub-drainage areas 3 and 4 would be conveyed to two existing drainage waste areas located northwest and southeast of the site within the Desert Willow Golf Course. The hotel and villas are located in sub-drainage areas 1 and 2. Stormwater from sub-drainage area 1 would be conveyed to an existing drainage waste area located northwest of the site within the Desert Willow Golf Course. Whereas stormwater from sub-drainage area 2 will be conveyed to an existing drainage waste area located south of the site within the Desert Willow Golf Course.

The 2019 Project also proposed a system of underground tanks, pipes and drywells to convey and control daily pool and lagoon backwash discharge. This system will consist of holding tanks, connected to the pools or lagoon and drywells connected by pipes at four locations. The anticipated daily discharge could be as high as 4,000 gallons per day, but is expected to average 2,200 gallons per day. The backwash will enter the tanks, where sediments and debris will be removed, treated as needed, and released in a metered manner to the drywells. The drywells will drain the water into the soil, for eventual recharge. The system would be regulated by the City and the RWQCB, and would be required to meet all required water quality standards. These requirements will assure that the backwash system will not exceed water quality standards, and impacts are expected to be less than significant.

The 2019 Project, including off-site improvements, would be required to comply with NPDES regulations and the BMPs set forth in the Project-specific WQMP, which minimize the pollutant load associated with urban runoff during construction and operation of the 2019 Project. The Project is within the CVWD’s boundaries requiring that it meet water quality requirements in the production and delivery of domestic water and sewage management. The imposition of conditions of approval, local, and state standard requirements and the requirements of the law will assure that the Project will not violate any water quality standards or waste discharge requirements. With the implementation of Mitigation Measures HYD-1 through HYD-4, Project impacts would be less than significant.

Mitigation Measures

- HYD-1        BMPs, as described in the Project-specific WQMP, shall be implemented to ensure that water quality impacts resulting from the Project meet the City’s NPDES standards.
  
- HYD-2        Exposed soil from excavated areas, stockpiles, and other areas where ground cover is removed shall be stabilized by wetting or other approved means to avoid or minimize the inadvertent transport by wind or water.
  
- HYD-3        The Project shall be subject to NPDES Construction General Permit requirements.

HYD-4            The Turf Reduction Program shall be completed prior to the issuance of certificates of occupancy for the surf center.

## **Analysis of the Proposed Project**

### Specific Plan and Precise Plan

Buildout of the proposed Precise Plan would result in a 92 room hotel, 12,323 square foot surf center and associated facilities, 83 residential units and a 5-acre surf lagoon, which is a less intense development than maximum buildout of the Specific Plan. The EIR analyzed the maximum buildout potential of the site under the Specific Plan. Therefore impacts associated with the less intense Precise Plan would be within the envelope of impacts already evaluated in the approved EIR and a subsequent EIR or WSA is not required. After applying the water demand offsets associated with implementation of the proposed turf reduction program at the Desert Willow Golf Course (106.75 AFY), the net total water demand for the proposed Project is expected to be 7.6 AFY due to the reduction in overall development density and building square footage. (see section 3.17 Utilities). This represents approximately 0.006 percent of the total projected water supply of 114,600 AF for 2020, and would represent 0.004 percent of the total projected water supply of 194,300 AF for 2040.

A Project-specific WQMP and Preliminary Hydrology Report were prepared for the proposed Project. According to the Hydrology Report, storm drain runoff generated from the Project site is designed to be conveyed to the adjacent East and South Golf Course via an underground storm drain piping system in a similar manner to the systems employed by existing adjacent resort developments. As with the 2019 Project, the surf lagoon will act as a “self-treating area” since no rainfall tributary to the Lagoon is intended to be directed to the existing golf course waste areas. Areas immediately adjacent to the Lagoon will be designed to carry storm runoff away from the Lagoon, into the storm drain system that leads to the proposed drywells and to the existing golf course. The proposed Surf Lagoon is designed to be evacuated annually using the series of drywells designed to collect storm water runoff for the project site toward the East and South Golf Course within Desert Willow Resort where it will infiltrate into the soils, consistent with the planned annual maintenance analyzed in the EIR.

### Summary

Implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. Water demand will be reduced based on the reduced intensity of development proposed in the Precise Plan. Development of the site would increase the amount of impervious surfaces in the City under both buildout scenarios. The Project will be required to comply with all City regulations, and control the 100-year storm on-site. The Project will also be required to prepare SWPPP and WQMP documents to prevent surface and ground water pollution. Buildout of the site is required to comply with local and state regulations, and policies set forth in the General Plan update that pertain to the protection of local hydrology and water quality. The currently proposed Project will be required to comply with the same mitigation measures identified in the EIR, to assure that impacts are reduced to less than significant levels.



Overall impacts are expected to be similar to, or less than, those previously identified in the EIR. Therefore, implementation of the Specific Plan amendment and buildout of the DSRT SURF Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

### **3.11. LAND USE/PLANNING**

#### **Summary of Findings in the EIR**

##### General Plan Consistency

The Project site is designated as Resort and Entertainment District on the City's General Plan Land Use Map, which allows theme parks, hotels, sports facilities, bed and breakfast inns, recreational facilities, small retail, large retail, and lodging, support retail, and commercial services along with specialized entertainment with a commercial floor area ratio (FAR) of up to 0.10, and multi-family residential land uses of up to 10 dwelling units per acre (DU/AC). The City's Zoning Map designates the site as Planned Residential (PR-5), allowing 5 DU/AC. The NSSP allows for a "Luxury Hotel" with a maximum of 500 rooms. The Project site is located within planning area 10 (PA 10) of that plan and is designated for hotel and resort development.

The site was partially developed with an existing surface parking lot and is located within the Desert Willow Golf Course. The Desert Willow development includes two championship golf courses, the Firecliff Course and Mountain View Course, as well as residential and resort developments. The following describes lands surrounding the Project site.

- North: Desert Willow Golf Course, Clubhouse and a parking lot
- South: Desert Willow Golf Course
- East: Desert Willow Golf Course and Desert Willow Drive
- West: Desert Willow Golf Course, the Westin Desert Willow Villas, Willow Ridge Drive.

All lands adjacent to the site are currently designated as Resort and Entertainment and developed as golf course except the Westin Desert Willow Villas to the southwest of the subject development site. The DSRT SURF Specific Plan proposed a mix of entertainment, recreation, commercial, and resort residential development uses consistent with those described in the General Plan and NSSP. The EIR provided a consistency analysis of all applicable goals, policies and programs contained in the General Plan. The findings of that analysis considered the Project as a whole. To summarize the consistency analysis, the EIR determined the Project site was an appropriate location for mixed used development of the type proposed, and all components of the Project were found to be consistent with the City's General Plan and NSSP.

##### Municipal Code and Zoning Consistency

The City's Zoning Map designates the site as Planned Residential (PR-5), allowing 5 units per acre. The Planned Residential zone also allows for the development of hotels with approval of a

Conditional Use Permit (CUP) but prohibits the development of “Commercial Recreation Facilities” (Section 25.10.030-Allowed Land Uses and Permit Requirements). Commercial Recreation Facilities are defined as “any use or development either public or private, providing amusement, pleasure, or sport, which is operated or carried on primarily for financial gain.” Municipal Code Section 25.10.40 (Specific Use Standards), however, inconsistently states that Commercial Recreational Facilities are permitted in the PR zone with approval of a Conditional Use Permit “when not related to a permitted residential development.” This portion of the Zoning Ordinance would allow the proposed surf lagoon with approval of a CUP. This inconsistency is rectified through preparation of the DSRT SURF Specific Plan.

The 2019 Specific Plan would supersede the current zoning designations on the Project site and will guide the development of the Project overall. The 2019 Specific Plan set forth the planning principles, land use policies, development standards, and design guidelines for the proposed development, and on-site and off-site public improvements. The Specific Plan addressed maximum development densities as shown in the Table below. All development on the Project site is required to adhere to the standards

**Table 9  
2019 DSRT SURF Specific Plan  
Specific Plan Land Uses**

<b>Surf Lagoon Planning Area (11.85 acres)</b>	<b>Max/Min Allowed</b>
Surf Lagoon	Max 6 acres
Surf Center Building, including:	Max 35,000 SF; Max Height 50 feet
Restaurants/Bars	Max. 8,000* SF
Meetings/Events	Max. 6,000 SF
Retail	Max. 4,000 SF
Ancillary Restrooms/Changing Rooms/Locker Buildings	Max 1,500 SF
Ancillary Rental Building(s)	Max 1,500 SF
East Lagoon Café and Bar	Max 2,750 SF
Maintenance and Equipment Buildings	Max 15,000 SF
Landscaping/OS/Pool /Recreational Space	Minimum 20% Planning Area site coverage
Parking	Per SP parking development code
<b>Hotel and Villas Planning Area (5.84 acres)</b>	<b>Max/Min Allowed</b>
Hotels	Max 350 rooms, Max 200,000 SF; Max Height 50 feet
Hotel Spa	Max 12,500 SF
Villas	Max 88 Villas; 1 to 4 bedrooms
Villa Clubhouse	Max 3,125 SF
Maintenance and Equipment Buildings	Max 2,500 SF
Landscaping/OS/Pool /Recreational Space	Minimum 25% Planning Area site coverage
Parking	Per SP parking development code
Source: Table 2.11-1 of EIR	

The 2019 Project also included a Precise Plan, Tentative Tract Map and a Development Agreement.

The design, and development standards of the proposed Surf Lagoon Planning Area would be regulated through the 2019 Specific Plan and a Precise Plan based on City Municipal Code Section 25.72.030 (Precise Plan). The Surf Lagoon Planning Area was designed in accordance with the 2019 Specific Plan and is therefore consistent with the Municipal Code and zoning standards. A Precise Plan further defines and implements the goals and objectives of the Specific Plan by providing specific designs and plans that ultimately regulate the construction of the surf lagoon and surf center. Additional Precise Plan application(s) would be required for the hotel and villa development proposed in Planning Area II.

The following Table breaks down the Precise Plan land uses for the Surf Lagoon Planning Area. Overall, the EIR found the Surf Lagoon Planning Area to be consistent with applicable municipal code and zoning regulations through adherence to the 2019 Specific Plan, thus resulting in no adverse impacts.

**Table 10**  
**2019 DSRT SURF Project**  
**Surf Lagoon Precise Plan Land Uses**

Land Use/Building	SF	AC
Surf Lagoon	239,580	5.50
Surf Center Building, including:	<b>30,300</b>	0.88
Restaurants, Bars and associated kitchens	8,475	--
Meeting Rooms	5,625	--
Administrative offices	2,275	--
Gallery	3,275	--
Mechanical, restrooms, storage, corridors, etc.	11,925	
Ancillary Restrooms/Changing Rooms/Locker Buildings	450	0.02
Ancillary Rental Building(s)	600	0.01
East Lagoon Café and Bar	650	0.06
Maintenance and Equipment Buildings	13,950	0.21
Landscape/OS/Pool/Rec./Amenities	104,789	2.41
Roadways/Driveways/Parking (asphalt paved areas)	120,307	2.76
Parking	239 spaces	
Source: Table 2.11-2 of the EIR.		

The design, and development standards of the Hotels and Villas Planning Area would be regulated through the 2019 Specific Plan. Prior to approval, a Precise Plan for the Hotels and Villas Planning area would be submitted to the City for review per City Municipal Code Section 25.72.030 (Precise Plan). The City would review the Precise Plan for consistency with the Specific Plan to ensure the Hotels and Villas Planning area development is consistent with the Municipal Code and zoning standards, thus resulting in no adverse impacts.

### Habitat Conservation Plan (CVMSHCP)

The City of Palm Desert is a signatory to and participates in the implementation of the CVMSHCP. The subject property is located within the boundaries of the CVMSHCP but is outside the boundaries of any of the Plan's Conservation Areas. Lands not developed prior to 1996 are subject to the payment of a Development Mitigation Fee to mitigate impacts of urban development to covered species. The site is not within or adjacent to a CVMSHCP-designated Conservation Area; thus, the implementation of the 2019 Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other related plans designed to avoid an environmental impact.

Overall, the EIR determined that the 2019 DSRT SURF Project would have a less than significant impact to land use or land use planning.

### **Analysis of the Proposed Project**

#### Specific Plan and Precise Plan

The proposed Specific Plan amendment does not propose an increase to overall land use densities or development standards. As a result, the consistency identified in the EIR with the General Plan's policies and programs also applies to the currently proposed Project. The proposed Specific Plan is consistent with the previously approved 2019 Specific Plan and development of the proposed Project will be in accordance with the requirements of the Specific Plan and other applicable regulations, including payment of the CVMSHCP development impact fee and the implementation of its standards. The Precise Plan is consistent with the revised Specific Plan, and proposes development that will meet or exceed the development standards in the Specific Plan. As the Specific Plan acts as the zoning document for the Project, the Precise Plan will be consistent with the City's zoning standards, since it meets or exceeds the Specific Plan development standards.

#### Summary

Implementation of proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact previously analyzed in the EIR. Overall impacts are expected to be similar to those previously identified in the EIR. Therefore, implementation of the proposed Project and Specific Plan amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

## **3.12. MINERAL RESOURCES**

### **Summary of Findings in the EIR**

The City of Palm Desert is located in an MRZ-3 zone, which is a classification indicating the area has known mineral deposits that may qualify as mineral resources (MRZ-3a), or the area may have inferred deposits which may qualify as mineral resources (MRZ-3b). Mining has not historically occurred within the planning area, thus the EIR determined that mineral resources are present, but the significance of the resource is considered speculative. There are no active mining sites in the City, nor are there future mining sites designated in the General Plan.



Mineral Resources was not discussed in the EIR because the Initial Study/Notice of Preparation determined there would be no environmental impacts as a result of the proposed Project

### **Analysis of the Proposed Project**

The currently proposed Project occurs on the same site as that analyzed in the EIR. The land uses proposed in the Specific Plan are the same as those in the 2019 Specific Plan. The Project does not propose mining activities and there are no mining land uses or activities in the vicinity. The land is not planned for mining activities, and no impact will occur as a result of the currently proposed Project.

Implementation of proposed Project would not result in any new impacts or increase the severity of a previously identified significant impacts in the Initial Study/Notice of Preparation for the Project. Consistent with the Certified EIR, there will be no impacts to mineral resources.

### **3.13. NOISE**

#### **Summary of Findings in the EIR**

Primary sources of noise in the City include traffic, freeways, and major roadways. The City has the authority to set land use noise standards and place restrictions on private activities that generate excessive or intrusive noise. However, I-10 is under the purview of the Federal Highway Administration (FHWA). The FHWA has developed noise standards that are typically used for federally funded roadway projects or projects that require either federal or Caltrans review.

Land uses that are sensitive to noise include, but are not limited to, residences, schools, libraries, churches, hospitals and nursing homes, and destination resort areas. Least sensitive to noise are heavy commercial and industrial uses, transportation, communication and utility land uses.

#### *Project-Wide Off-Site Traffic Noise Impacts*

The Noise Impact Analysis prepared for the 2019 Project established criteria for potential noise impacts based on a number of sources, including the City's General Plan and Municipal Code, where standards were available, and on outside sources, where the City had no standard. In these cases, the noise study established noise impact thresholds based on the National Institute for Occupational Safety and Health, and the Riverside County General Plan, respectively.

The Noise Impact Analysis considered the impacts of the 2019 Project's traffic on off-site locations to determine whether the Project would impact noise levels off-site. The analysis considered current (2018-2019) noise levels, Existing Off-Site Noise Contours, and then added ambient growth (increased traffic due to the anticipated annual growth in traffic volumes), as well as growth based on approved cumulative projects (projects approved and/or under construction). The trips added to the regional road system by the 2019 Project were then added, to determine the level of impact in 2022, which was the anticipated opening year for the Project.

Based on a comparison of 2022 without and with Project conditions, the EIR analysis determined the 2019 Project would not significantly increase off-site noise levels associated with the Project's increases in traffic within the area surrounding the proposed site.

#### Project-Wide Operational Impacts

The 2019 Project would generate noise from commercial recreational activities, hotel activities, and villa activities. These were analyzed to determine the level of noise that would be created by typical project activities, and the impacts of these activities on surrounding sensitive receptors. The EIR determined that the impact of typical project activities on surrounding sensitive receptors will be less than significant during both daytime and nighttime hours, when compared to the significance criteria thresholds.

#### Construction Noise Impacts

Construction noise from development and redevelopment projects would be short term and exempt during the hours of 7:00 a.m. to 5:30 p.m. weekdays and 8:00 a.m. to 5:00 p.m. Saturdays. The General Plan Noise Element includes policies to limit exposure of noise sensitive land uses to excessive noise levels from point sources, including construction activities. In addition, future development projects are required to conduct project-level noise analysis.

Construction of all 2019 Project components would require the use of heavy equipment for the demolition of the existing on-site parking lot, Project site preparation/excavation, installation of new utilities, and building fabrication. Construction activities would also involve the use of smaller power tools, generators, and other sources of noise. During each stage of construction, a different mix of equipment would be operating, and noise levels would vary based on the amount of equipment in operation and the location of the activity.

Six locations where sensitive receptors currently occur were analyzed in the EIR with distances ranging from 10 feet to 1,705 feet from the Project site. The noise analysis prepared for the 2019 Project further considered whether the project noise levels would exceed the National Institute of Occupational Safety and Health (NIOSH) standards for construction noise standards. Those standards consider a noise level in excess of 85 dBA Leq to be significant. Based on this threshold, noise levels affecting sensitive receptors closest to the Project were found to be less than significant.

Any increase in noise levels during construction would be temporary in nature, would occur during daytime hours, and would not generate continuously high noise levels. In addition, the construction noise during the heavier initial periods of construction (i.e., excavation and grading work) would typically be reduced in the later construction phases (i.e., interior building construction) as the physical structure would obstruct the line-of-sight noise emitting from the construction area. Therefore, overall, the EIR determined that impacts would be less than significant during the construction phase of the lagoon and surf center, hotels and villas, and off-site improvements.

### Operational Noise Impact

The City of Palm Desert has developed exterior land use compatibility standards that rate compatibility using the terms normally acceptable, possibly acceptable, and normally unacceptable, and also provide standards for interior acceptable noise levels. These standards also establish maximum interior noise levels for new residential development, requiring that sufficient insulation be provided to reduce interior ambient noise levels to 45 dBA CNEL/Ldn.

In addition to the noise normally associated with commercial recreational activities, described above under “Project-wide Operational Impacts,” the Surf Lagoon will include equipment used to generate waves. It is also anticipated that at build out, surf competitions and other special events would be organized at the site. During recreational/competitive surf and other events, amplified musical equipment could be used. Notable noise generating activities include surf lagoon/wave machine activity, outdoor game activities, and special events/outdoor event activity.

The dominant noise sources attributable to the lagoon and surf center planning area are the wave generating machine and special events outdoor activities. Based on the analysis in the EIR, the noise levels of 83.6 and 66.8 dBA at 50 feet would attenuate to 49.2 dBA Leq at the closest sensitive receiver. None of the project components is expected to exceed the City’s exterior noise level standards for either daytime or nighttime conditions at any of the sensitive receivers. Therefore, impacts would be less than significant.

The dominant noise sources in the Hotel and Villas Planning Area would be vehicular traffic accessing the site, grounds maintenance equipment, heating, ventilation and air conditioning (HVAC) units, and outdoor swimming pool/spa activities which could reach up to 57.8 dBA Leq at 50 feet. Based on the Project’s noise impact analysis, the City’s noise standards allow outdoor noise levels of 65 and 55 dBA CNEL in the commercial area during the day and night times, respectively. None of the project components is expected to exceed the City’s exterior noise level standards for either daytime and nighttime. Therefore, impacts would be less than significant.

The EIR also determined that all noise-related impacts associated with the construction and operation of the off-site improvements would be less than significant.

### Groundborne Vibration

Both the planning areas and off-site improvements analyzed in the EIR were expected to be constructed in phases, over a two-year period. Construction activities such as grading activities, construction equipment and trucks hauling project materials would have the potential to generate low levels of ground-borne vibration within the Project area.

The EIR found that construction vibration velocities would reach up to 0.009 inches per second RMS. The threshold for construction vibration velocity in Riverside County is 0.01 inches per second RMS. Construction vibration velocities at all six locations would be below the threshold and therefore were considered less than significant.

According to the Federal Transit Administration (FTA), construction vibration levels ranging from 0.12 to 0.5 inches per second PPV are damaging for buildings. As discussed in the EIR, Project-related construction vibration levels would reach up to 0.013 inches per second PPV, which is below the 0.12 inches per second PPV. Therefore, a less than significant impact was anticipated.

At buildout, no operational components of the 2019 Project would generate significant groundborne noise or vibration sources and no significant vibrations sources currently exist, or are planned, in the Project area. Thus, no significant groundborne noise or vibration impacts would occur with the operation of the 2019 Project.

The EIR also determined that all groundborne vibration impacts associated with the construction and operation of the off-site improvements would be less than significant.

### Summary of Impacts

The EIR determined that noise impacts resulting from adoption and implementation of the 2019 Project, including all Project components, would be less than significant and would not require mitigation. Results of the Noise Study show that adding the 2019 Project's noise levels to future noise levels would not result in an adverse cumulative noise increase as defined by the Noise Element at the closest sensitive receptor location, because of the low project noise levels and distance. Therefore, the proposed Project's contribution to area-wide noise levels would not be cumulatively considerable.

### **Analysis of the Proposed Project**

Currently, the Project site is partially developed with an existing surface parking lot where the noise sources include vehicles traveling to and from the golf course. Other noise sources in the vicinity of the golf course include stationary noise sources in existing residential and commercial areas such as pool and spa equipment or heating, ventilating and air conditioning (HVAC) units. Temporary noise sources include landscape maintenance activities, home stereo systems, golf course users and carts, and barking dogs, which are governed by the provisions of the City Noise Ordinance and Municipal Code.

### Specific Plan and Precise Plan

The proposed Specific Plan amendment would result in a consistent maximum buildout potential as the approved 2019 Specific Plan and therefore, impacts would be the same as those analyzed in the EIR for maximum buildout.

Buildout of the revised Precise Plan has the potential to result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage, and a 14% reduction in parking compared to maximum buildout assumptions analyzed in the EIR. Therefore construction and operational noise levels associated with buildout of the Precise Plan would be less intense than those previously analyzed in the EIR due to the reduction in development density and building square footage.

Construction noise would be expected to be similar under both buildout scenarios (2019 and proposed), since the entire site would still be graded and constructed upon. Construction activities associated with build out of the proposed Project would adhere to the City's allowable construction hours, and would also be temporary in nature. Since temporary construction noise is exempt from the City's noise ordinance requirements, construction-related noise would result in less than significant noise impacts. Therefore, construction-related noise due to the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact previously analyzed in the EIR, and impacts would remain less than significant.

Post-construction activities would be limited to hotel, surf center, surf lagoon, and residential operations and activities that would not be expected to generate long-term or excessive groundborne noise or vibration.

Operational noise under the Precise Plan would consist of the same noise sources, including the outdoor activities of the surf lagoon, hotel and residential pools and activity areas, but these would be marginally reduced because of the decrease in residents and guests resulting from the smaller hotel and fewer residences. Operational noise under the proposed Precise Plan is expected to be less than significant and less than that of maximum buildout of the site under the Specific Plan due to reduced density and associated traffic to and from the site. Long-term operations would not result in any new impacts and would reduce the impacts previously analyzed in the EIR.

Similar to the 2019 Project, it is anticipated that surf competitions and other special events would be organized at the site which may result in the use of amplified musical equipment. Other notable noise generating activities include surf lagoon/wave machine activity, outdoor game activities, and outdoor event activity. However, proposed Project operations are the same as those proposed in the approved 2019 Project, and therefore impacts associated with operational noise for special events will be the same as those analyzed in the EIR, and would remain less than significant. Operation-related noise due to the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact previously analyzed in the EIR.

#### Summary

Overall, build out of the proposed Project will result in impacts that are comparable to, or lower than, what was analyzed for the 2019 DSRT SURF Specific Plan. With the implementation of General Plan policies and Municipal Code requirements, impacts will remain less than significant.

### **3.14. POPULATION, EMPLOYMENT, AND HOUSING**

#### **Summary of Findings in the EIR**

According to city's General Plan EIR, the City's 2015 population was 49,335, making Palm Desert the third largest city in the Coachella Valley and the twelfth largest city in Riverside County, accounting for 2.2 percent of the county's total population. Between 2000 and 2014, the annual population growth in Palm Desert was 662 persons per year, representing a 22.5 percent level of growth.



According to the 2019 Project EIR, the 2018 population of the City of Palm Desert was 52,769, which represents a 1.4 percent increase over 2017. The City is composed of a mix of single-family and multi-family development, but the majority (55%) of housing units are single-family homes. The Southern California Association of Governments (SCAG) estimates that the City will have a total population of 61,700 in 2040.<sup>26</sup>

The 2019 Project would result in the construction of 88 new resort style villas, up to 350 hotel rooms and amenities, and a surf lagoon with surf center facilities to include restaurant, bar, retail and similar facilities. All of the proposed uses will generate a variety of new jobs, including retail, restaurant service jobs, recreational instructors and management personnel. However, on-site employment opportunities are expected to be filled by people already living in the valley; therefore, new employment opportunities associated with the proposed Project are expected to be minor and less than significant.

The 2019 Project anticipated that the 88 villas would operate as either timeshares and/or an extension of a future hotel. However, the 2019 Specific Plan allows for permanent single-family housing units. Given the city's average household size of 2.17 persons in 2018<sup>27</sup>, 88 new residential villas of the Project could potentially increase the permanent population by approximately 191 persons. This represents 0.3% of the City's anticipated 2040 population of 61,700, which would have a less than significant impact on the overall population of the area.

Buildout of the 2019 Project will not require the expansion, extension or construction of new public streets or utilities that would indirectly induce population growth because all infrastructure required to serve the Project exists adjacent to the Project. Impacts were found to be less than significant.

Off-site improvements include stormwater management, pool/lagoon discharge, golf course turf reduction, landscaping improvements, overflow parking, and soil removal/storage. These activities will not induce population growth either directly or indirectly, and therefore there will be no impacts.

## **Analysis of the Proposed Project**

### **Specific Plan and Precise Plan**

The proposed Specific Plan does not change the residential densities or development intensities previously analyzed in the 2019 Specific Plan. Therefore, Specific Plan-related impacts to population and housing would be the same, and the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact previously analyzed in the EIR.

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<sup>26</sup> 2016-2040 Demographics and Growth Forecast by Southern California Association of Governments – Page 27.

<sup>27</sup> "Report E-5 Population and Housing Estimates for Cities, Counties and the State, January 1, 2011-2018, with a 2010 Benchmark," California Department of Finance, released May 1, 2018.

Buildout of the Precise Plan would result in a 92 room hotel, 83 villas, and surf lagoon. Compared to the 2019 Project, and using the 2020 average household size of 2.15 persons, the proposed Project could potentially increase the city's permanent population by approximately 179 persons, resulting in a 12 person population decrease compared to the 2019 Project. This also represents 0.3% of the City's anticipated 2040 population of 61,700, which would have a less than significant impact on the overall population of the area.

### Summary

Implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. The proposed Precise Plan would lower the site's residential density when compared to the maximum density allowed in the Specific Plan, resulting in a reduced population potential compared to that analyzed in the EIR.

The site is vacant and will not displace any existing population or cause a need for additional housing elsewhere. The proposed Project does not change or propose additions to existing infrastructure, such as streets or utility lines, and those impacts will be consistent with that analyzed in the EIR, and remain less than significant.

Overall impacts associated with the build out of the Precise Plan are expected to be less than those previously identified in the EIR. Therefore, implementation of the proposed Specific Plan and buildout of the Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

## **3.15. PUBLIC SERVICES AND UTILITIES**

### **Summary of Findings in the EIR**

#### Fire Protection

The City of Palm Desert contracts with Riverside County Fire Department (RCFD) for fire protection services. RCFD is one of the largest regional fire service organizations in the State of California. At the time of the EIR, the nearest fire station to the Project site was Riverside County Fire Station 71 at 73995 Country Club Drive, approximately 0.5 mile southwest of the Project site. This station also receives backup fire support from station No. 55 in Indian Wells and Stations No. 50 and No. 69 in Rancho Mirage. The station physically closest to the emergency will respond even if it is outside the station's official jurisdiction.

The RCFD service area consists of all unincorporated areas in Riverside County, 18 contract cities, and one Community Service District (CSD). Under contract with the California Department of Forestry and Fire Protection (CAL FIRE), the RCFD is the Operational Area Coordinator for the California Fire and Rescue Mutual Aid System for all fire service jurisdictions in the County of Riverside. As such, RCFD has also been given the authority to enter into several automatic aid agreements with city jurisdictions, as well as with adjacent National Forests.

Construction and operation of the 2019 Project as a whole would increase the demand for fire protection and emergency response services. The construction of all components within the 2019 Project will result in a marginal potential increase in fire and medical response demand associated with construction activities and equipment. However, the Fire Code requires that water connections be available prior to the initiation of construction, thereby assuring that should a fire occur, water will be available to extinguish it.

In addition to the two public access points provided on Desert Willow Drive, a third emergency access was to be provided at the northwestern portion of the site, from the adjacent Westin Willow Ridge roadway. Emergency vehicles would circulate through the Project area using the internal roadway loop. The internal roadway would be designed to provide looped secondary emergency vehicle access and egress. Fire lanes, turning radii and back up space around buildings will require approval of the Fire Marshall, so as to assure adequate access for emergency and fire equipment vehicles. Pavements are required to support loads created by emergency vehicle traffic. Standpipe and fire suppression system connections are required for architectural design elements and in locations accessible to fire equipment.

The 2019 Project's demand for services was expected to be consistent with that of other residential, commercial, and resort developments in the Project vicinity. It was not expected to require the construction of new or physically altered fire facilities that might result in physical environmental impacts. Impacts were expected to be less than significant.

The surf lagoon includes lifeguard facilities, including a lifeguard tower on the north end of the lagoon with visibility over all parts of the lagoon. This design feature supplements emergency fire response, and assures that impacts associated with emergency medical events at the lagoon would remain less than significant.

The 2019 Project would be required to pay the Fire Facilities Impact Fee, which is charged on new residential and commercial development. Funding provided by the Project would result in capital that would be used toward future fire facilities.

All off-site improvements would result in no impact, with the exception of overflow parking. The use of the off-site parking facility will be associated with the special events held at the surf lagoon, and would be tied to safety and traffic plans for these events. The use of the parking lot will have similar impacts to fire protection during special events as the surf center, and would be subject to Mitigation Measures PS-2 and PS-3, assuring that impacts are reduced to less than significant levels.

#### Police Protection

The City of Palm Desert Police Department (PDPD) is contracted through the Riverside County Sheriff's Department (RCSD) for police protection services. RCSD provides several law enforcement services, such as general community policing, as well as the operation and maintenance of several correctional facilities, to areas under its jurisdiction. The RCSD is a "demand response" agency that maintains limited patrol services throughout the County of

Riverside. The RCSD has established a criteria of one sworn officer per 1,000 population; one supervisor and one support staff employee per seven officers; one patrol vehicle per three sworn officers; and one school resource officer per school.

The nearest police station is the Palm Desert Police Station on Gerald Ford Drive, approximately 1.6 mile to the northwest. When the EIR was certified, staffing consisted of 70 sworn officers that included 45 deputies, 10 of which were dedicated to traffic enforcement. The City of Palm Desert provided about 1.75 sworn officers for every 1,000 residents. The average response time by priority is as follows:<sup>28</sup>

Priority 1 calls < 5 minutes  
Priority 2 calls < 19 minutes  
Priority 3 calls < 35 minutes

Adoption and implementation of the 2019 Project would increase visitors, patrons, population, and employees onsite, thereby generating a potential increase in the level of police protection service calls from the Project site.

The Project is expected to host special events that could attract an estimated 3,500 ticketed spectators. Such events may require coordination with the Palm Desert Police Department for additional onsite police support, such as directing traffic or increased foot patrols. Special events will occur occasionally and are expected to be consistent with other regional entertainment venues and sporting competitions, requiring additional police support but not increasing demand to the extent that new or expanded police personnel or facilities are needed. The 2019 Project also included bars, restaurants, and a surf center that could attract late-night patrons. Trained security personnel were required, per Mitigation Measure PS-1, to be employed to minimize impacts to the Palm Desert Police Department at onsite facilities and during daily operations and special events.

Overall, with the buildout of all components of the 2019 Project, the net increase in persons at the project site on a daily basis would not require a substantial increase in police protection services in order to maintain the current officer to civilian ratio. No new or expanded police stations, the construction of which could cause significant environmental impacts, would be needed as a result of the 2019 Project.

However, the EIR determined that additional police support may be required during special events, and private security personnel should be employed onsite to minimize additional demands for police services. To assure that impacts associated with public safety services are mitigated, Mitigation Measures PS-1 through PS-3 were required, and are provided below. These measures require the provision of private security services on site, and the coordination and approval of RCSD for special events. With implementation of Mitigation Measures PS-1 through PS-3, the EIR determined that impacts to police protection services would be less than significant.

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<sup>28</sup> Provided by Lieutenant Robert Castro at Riverside County Sheriff's Department in August 2018.

All off-site improvements would result in no impact, with the exception of overflow parking. The use of the off-site parking facility will be associated with the special events held at the Surf Lagoon, and would be tied to safety and traffic plans for these events. The use of the parking lot will have similar impacts to fire protection during special events as the surf center, and would be subject to Mitigation Measures PS-2 and PS-3, assuring that impacts are reduced to less than significant levels.

### Schools

Public education services and facilities are provided to Palm Desert by the Desert Sands Unified School District (DSUSD) and the Palm Springs Unified School District (PSUSD). At the time the EIR was prepared, DSUSD consisted of 19 elementary schools, one charter elementary school, six middle schools, one charter middle school, four comprehensive high schools, two continuation high schools, one alternative education school, and one preschool.<sup>29</sup> The project site is within DSUSD's jurisdiction.<sup>30</sup> The nearest school is James Earl Carter Elementary School, located approximately 1.10 miles southwest of the project site.

The residential portion of the 2019 Project would introduce approximately 191 new residents to the Project site. When the EIR was prepared, schools that serve the Project area were over capacity. Based on DSUSD student generation rates at the time the EIR was prepared, the 2019 Project has the potential to generate approximately 31 kindergarten through twelfth grade students, if the villas are occupied by permanent residents. This is a conservative estimate based on the Project's 88 new villas being occupied by families with children residing on the project site on a fulltime, year-round basis. In actuality, these units were likely to be occupied on a temporary basis by individuals and families during vacations. Nonetheless, the potential student increase represents less than 1% of DSUSD's current student body.

The EIR determined that existing laws and regulations would require funding for the provision or expansion of new school facilities to offset impacts from new residential or commercial development, including payment of the required developer fees, and therefore impacts were considered less than significant.

None of the off-site improvements would generate permanent population and, therefore, will have no impact on schools. These components of the Project will not increase the student population and there will be no impacts.

### Parks

The City of Palm Desert has a total of 163 acres of park lands and an additional 56 acres dedicated for future parks.<sup>31</sup> Beyond the Desert Willow golf course, within which the Project is located, the nearest public park to the project site is Hovley Soccer Park, approximately 1.1 mile south of the proposed Project.

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<sup>29</sup> Desert Sands Unified School District; <https://www.dsusd.us>, accessed November 2018.

<sup>30</sup> Desert Sands Unified School District Boundary Map; [https://www.dsusd.us/sites/default/files/DSUSD\\_SchoolFacilities.pdf](https://www.dsusd.us/sites/default/files/DSUSD_SchoolFacilities.pdf), accessed November 2018.

<sup>31</sup> Palm Desert General Plan Draft EIR – Page 4.14-18.



Implementation and buildout of all components of the 2019 Project would result in the development of a surf center, surf lagoon, up to 350 hotel rooms, restaurants, retail, and up to 88 new villas that could generate approximately 191 new residents, including approximately 31 school-aged children, if the villas are developed as permanent housing units. The Project proposed resort hotel and residential uses, outdoor use areas, and multiple options for recreational amenities, including lounges, swimming pools, a spa/wellness center, and a surf lagoon. The surf lagoon was expected to be the primary attraction for Project patrons and guests. Some visitors may attend events and undertake activities at local parks however, such visits are expected to be minimal and are not expected to require new or expanded park facilities that could result in adverse environmental impacts.

In addition, the Project will be located within the Desert Willow golf course, providing additional recreational opportunities. The Project's proposed recreational amenities, in conjunction with the City's current parks and recreational facilities and the collection of Developer Impact Fees (DIF) that support the City's park and recreation fund (as required by City's Municipal Code 25.40.130<sup>32</sup>), would be adequate to accommodate the Project's demand for parks and recreational services. Therefore, Project impacts to parks would be less than significant.

None of the off-site improvements would generate demand for park services and, therefore, no impact was anticipated.

#### Other Public Services

Other public facilities in the City include city hall, the public library, museums, and medical/emergency facilities. As mentioned above, the Project's recreational facilities, particularly the surf lagoon, were expected to be the primary attraction for Project patrons and guests. Some visitors may attend the local library, museums, or other attractions, and some may require medical services at local hospitals. However, such visits are expected to be minimal and are not expected to require new or expanded facilities that could result in adverse environmental impacts. Project-related impacts to other public facilities were expected to be less than significant, and no mitigation measures were required.

#### Mitigation Measures

PS-1. All components of the Project shall be required to employ on-site private security.

PS-2. Per the City's Municipal Code Sections 5.87.180 and 5.100.020<sup>33</sup>, at least two weeks prior to a special event at the lagoon area, the applicant shall file a "Special Event Temporary Entertainment Permit." Event notifications and specifics shall be approved in advance with the RCSD and Fire Marshall prior to scheduled events.

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<sup>32</sup> Palm Desert Municipal Code 25.40.130 (Required Park Dedication Fees). No building permit shall be issued for any new development until the use established is in compliance with all applicable regulations of the City's local park dedication or payment of fees in lieu thereof requirement, as provided by the Subdivision Ordinance. (Ord. 1259 § 1, 2013).

<sup>33</sup> Palm Desert Municipal Code 5.87.180 (Special events notification required) and 5.100.020 (Special event temporary entertainment permit required).

- PS-3. Project facilities shall be designed and maintained to maximize public safety, including providing secure facilities access and parking, adequate nighttime lighting, maximization of defensible space and minimization of “dead zones,” and professional security personnel. The Project proponent shall coordinate with the Police Department to assure the Project is designed to address these and other safety concerns.
- PS-4. During construction, excavation areas, construction staging, and storage areas shall be fenced and locked. All equipment shall be returned to staging and storage areas at the end of each work day.

### **Analysis of the Proposed Project**

#### Specific Plan and Precise Plan

The proposed Specific Plan amendment would not increase the overall project density or development intensity of the approved 2019 Specific Plan, and therefore impacts to public facilities associated with population increases would be comparable to what was previously analyzed in the EIR.

The Precise Plan would result in a reduction in potential dwelling units from the maximum buildout potential of 88 units to 83 units. This change will also result in a corresponding reduction in population. These reductions will also reduce demand from fire and police services, since fewer incidents would occur due to reductions in density at both the villas and the hotel. Similarly, impacts associated with libraries, schools and parks would be reduced with buildout of the Precise Plan, due to reductions in units and population requiring these services.

#### Summary

Implementation of proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. The proposed Project will be subject to the same mitigation measures as the 2019 Project. Overall, impacts are expected to be comparable to or less than those previously identified in the EIR due to the reduction in hotel room guests, residential density and population proposed by the proposed Precise Plan. Therefore, implementation of the Specific Plan amendment and buildout of the Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

### **3.16. TRANSPORTATION**

#### **Summary of Findings in the EIR**

##### Roadway Network

Regional connectivity to the City is provided by Interstate 10, Highway 111, and State Route 74. Major roadways include Highway 111, Fred Waring Drive, Country Club Drive, Frank Sinatra Drive, Gerald Ford Drive, Dinah Shore Drive, Monterey Avenue, Portola Avenue, Cook Street, and Washington Street. Higher volume roadways include Washington Street, Monterey Avenue,

Highway 111, and Fred Waring Drive which are designed to carry approximately 51,000 (avg.), 37,400 (avg.), 39,800 (avg.), and 36,300 (avg.) vehicles per day at General Plan buildout (2040), respectively.

Major roadways in the vicinity of the Project site include Country Club Drive to the south, Portola Avenue to the west, Cook Street to the east, and Frank Sinatra Drive to the north. At General Plan buildout, these major roadways could carry approximately 34,900 (avg.), 14,600 (avg.), 21,700 (avg.), and 12,300 (avg.) vehicles per day, respectively.<sup>34</sup>

Level of Service (LOS) is a qualitative measure used to define the performance of a roadway system. The desired and optimal level of service for intersections and roadway segments within the City is LOS C; however, LOS D is considered the generally acceptable service level.

### Transit

Public transportation in the Coachella Valley consists of transit bus service operated by the SunLine Transit Agency. When the EIR was written, six SunLine bus routes served the City of Palm Desert: 20, 21, 32, 54, 70, 111, and Commuter Link 220.<sup>35</sup> Sunline also provides paratransit service to supplement fixed route service. Service headways ranged from 20 minutes to 60 minutes during the weekdays. Less frequent service was provided on nights and weekends.

The closest bus route to the Project site is Route 20 which extends along Cook Street. The nearest bus stop to the Project site is located at Cook Street and Country Club Drive, approximately ½ mile to the east.

### Bicycle and Golf Cart Facilities

When the EIR was prepared, bicycle facilities in the immediate Project area included Class III bike lanes along Country Club Drive, Cook Street, Portola Avenue, and Frank Sinatra Drive.<sup>36</sup> The Project site is located within the Desert Willow golf course property, and golf cart paths run along all sides of the property. Meandering pathways also extend along much of Desert Willow Drive.<sup>37</sup>

### CV Link

CV Link is a multi-modal transportation pathway which, at full buildout, will extend ±49 miles through 12 Coachella Valley jurisdictions, from Palm Springs on the west to the Salton Sea on the east.<sup>38</sup> At the time the EIR was written, approximately 2.4 miles of CV Link had been constructed in the City of Cathedral City. In the City of Palm Desert, CV Link was to be constructed along the Whitewater River Stormwater Channel, and generally along Parkview Drive and Magnesia Falls Drive. It is anticipated that CV Link, once fully constructed, will contribute to increased fitness, local reductions in traffic volumes and associated air pollutants, and expanded economic opportunities.

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<sup>34</sup> Palm Desert General Plan (DEIR) – Table 4.15-24, The City of Palm Desert, 2016.

<sup>35</sup> SunLine Transit Agency Website, <https://www.sunline.org>, accessed February 2019.

<sup>36</sup> “Coachella Valley Association of Governments Active Transportation Plan,” Michael Baker International, 2016.

<sup>37</sup> Google Earth Pro Version 7.3.2.5491.

<sup>38</sup> CV Link Draft EIR (2017).

### Pedestrian Environment

Connections between roadways and transit facilities are provided through a network of sidewalks and crosswalks. The nearest pedestrian sidewalk to the Project site is along Desert Willow Drive. Sidewalks also exist along Country Club Drive, Cook Street, Portola Avenue, and Frank Sinatra Drive.

### Airports

The Coachella Valley is served by three airports. The Palm Springs International Airport is the largest and primary air transportation link for the region. It is located approximately 8 miles northwest of the subject property and is classified in the National Plan of Integrated Airport Systems (NPIAS) as a long-haul commercial service airport. It also handles air freight and provides heliport access that is largely limited to medical evacuation flights between the Desert Regional Medical Center and Eisenhower Medical Center.

The Bermuda Dunes Airport is a privately owned, public use airport located approximately 5.5 miles northeast of the subject property. It accommodates corporate and private aircraft and is the designated airport for medivac flights for John F. Kennedy Hospital and Eisenhower Medical Center.

The Jacqueline Cochran Regional Airport is located in the unincorporated community of Thermal, approximately 15 miles southeast of the Project site. It caters to business and private aviation aircraft.

### Intersection Operations

The Project-specific Traffic Impact Analysis (TIA) studied twelve (12) intersections in the Project area based on the Project description and input from City staff. Conditions were evaluated for weekday PM peak hours and Saturday peak hours, when the proposed Project is expected to be busiest. Data in the EIR demonstrated that all studied intersections are operating at acceptable LOS during one or more peak hours, except for the intersection at Cook Street and Market Place Drive, which is unsignalized and operating at LOS F during the PM peak hour only. The EIR requires mitigation to reduce impacts to less than significant levels, as provided in Mitigation Measure TRANSP-1, which requires that the Project pay its fair share of the installation of a traffic signal at this location. Further, the Development Agreement requires that the payment be made by the Project proponent, and that the City install the signal prior to the issuance of a certificate of occupancy for the Surf Center. This assures that the improvement will be complete at the time that the Project is operational, and that the impact will be less than significant when the Project begins operations.

The TIA also analyzed potential impacts of the 2019 Project on the I-10 freeway ramps at Cook Street, since special events are expected to attract travelers from more distant locations that will require freeway travel. The EIR determined that the freeway off-ramps will operate at acceptable levels during special events.

### Vehicle Miles Traveled

CEQA Guidelines Section 15064.3, as amended December 2018, states that vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. A lead agency may use models or other methods to analyze a project's VMT quantitatively or qualitatively. For land use projects, such as the proposed DSRT SURF Project, "projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact."

During construction, an estimated 12,875 haul trips (equivalence)<sup>39</sup> will transport excess soils to either: 1) vacant land on the Desert Willow Golf Course, less than ¼ mile from the Project site, or 2) along Cook Street to the Classic Club 2½ miles to the north. For conservative analysis, it was assumed that all excess soil will be hauled to the Classic Club, resulting in approximately 32,188 VMT. Once construction is complete, this Project component would generate no VMT. Impacts would be less than significant.

The EIR determined that buildout of the entire Project would generate a combined total of 5,496 weekday daily trips during typical operation, and a combined total of 7,288 weekend daily trips during special events. The Project is centrally located in the Coachella Valley; vehicles traveling from the furthest points of the valley from the Project site would travel approximately 15 miles to the Project, while those in the denser population centers would travel 10 miles or less. During special events, spectators could travel from areas outside the Coachella Valley; western Riverside County and Los Angeles, for example, are 60 miles and 100 miles from the Project site, respectively. For analysis purposes, it was assumed that the average distance traveled per trip was 25 miles, resulting in an annual VMT of 12,213,217 under typical operation and 16,511,125 when accounting for special events.

The EIR determined that the Project's central location and proximity to arterials, I-10, and established transit routes are expected to reduce the amount of driving required to access the Project. Therefore, impacts were considered less than significant.

### Emergency Access

Emergency vehicles will be able to access the surf lagoon, surf center, hotel, and villas via two main driveways on Desert Willow Drive and a gated emergency entrance on Willow Ridge. The internal roadway will provide vehicular access around the perimeter of the Project. Prior to the initiation of any site disturbance, the Project proponent will be required to confer with the City Public Works, Fire, and Police departments to assure that demolition (of the existing parking lot), grading, and construction plans provide adequate emergency access. After the construction and installation of off-site improvements is complete, these project components will have no impact on emergency access.

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<sup>39</sup> CalEEMod generates the number of "haul trips" and associated hauling emissions based on the quantity/weight of material being hauled and the distance to the haul site. The number of haul trips generated in CalEEMod provides an equivalent emissions projection based on haul load assumptions programmed into the software. Based on project haul data, CalEEMod assumes that the project will require 12,875 material haul trips. It is assumed that an average haul load is 20 tons (or 16 cubic yards).



All development plans will be reviewed by the Police and Fire Departments to assure that adequate fire lanes, vehicle turning radius, and signage is provided for emergency vehicles during all phases of operation (Mitigation Measures TRANSP-15 through TRANSP-19). With implementation of these mitigation measures, Project-related impacts will be less than significant.

#### Parking and Special Events

Overflow parking improvements are planned for the southeast corner of Desert Willow Drive and Market Place Drive. Preliminary designs for this parking lot estimate that approximately 285± parking spaces can be provided at this location in a fully improved parking lot. During standard operations, the lot will be vacant, and no special traffic management strategies will be necessary. However, during special events, up to 1,459 vehicles would require parking and vehicles will access the overflow parking lot via Cook Street, Country Club Drive, and Market Place Drive. The EIR determined that without additional off-site parking, potential impacts associated with parking and site access could result in significant impacts to the Project site and surrounding roadway network. However, implementation of Mitigation Measures TRANSP-5 through TRANSP-14 will reduce potential impacts to less than significant levels. They require the Project proponent to implement a Special Event Traffic Management Plan that uses temporary signage, flaggers, traffic signal timing adjustments, shuttle services, and other mechanisms to facilitate the movement of special event traffic and reduce impacts to roads in the Project vicinity.

#### Transit Service

The surf lagoon, surf center, hotel, and villas will have no impact on transit, bicycle, or pedestrian facilities. The Project site is ½ mile from the nearest Sunline transit route and bus stops on Cook Street, and ⅓-mile from the nearest sidewalk and bike lane on Country Club Drive. The Project will not impact sidewalks or golf paths within Desert Willow Golf Course. It does not propose new transit or bicycle facilities, or modifications to existing ones, and will not conflict with any such programs, plans, ordinances, or policies. Internal walkways and trails will connect to existing sidewalks and pathways on Desert Willow Drive, which then connect to sidewalks on Country Club Drive.

#### Summary of Impacts

The TIA assumed that all project components would be built out by 2022, studying both typical daily operations and special events. Although the 2019 Project was to be implemented in two phases, and both phases may not be completed by 2022, this represents a worst-case scenario in which all traffic impacts occur simultaneously. Typical daily operations were assumed to include up to 95 surfers at one time in the lagoon, activity at surf center retail and restaurant facilities, and full occupancy of the 350 hotel rooms and 88 villas. Special event operations considered the addition of up to 3,500 ticketed guests at the surf lagoon, in addition to the operational characteristics described above.

As previously discussed, the intersection at Cook Street and Market Place Drive would operate at LOS F during the PM peak hour only. With installation of a traffic signal (Mitigation Measure TRANSP-1), the Cook Street and Market Place Drive intersection will operate at an acceptable LOS. Expansion of the eastbound left turn lane on Market Place Drive at Cook Street to a

minimum of 165 feet (Mitigation Measure TRANSP-2) would also reduce Project impacts at this intersection. TRANSP-3 and TRANSP-4 will further enhance site access and traffic safety at the Project site by requiring implementation of onsite traffic signing and striping plans and review of sight distance at Project access points.

Primary access to the surf lagoon, surf center, hotel, and villas will be provided at two access points on Desert Willow Drive, and emergency access will be provided via a gated access point on Willow Ridge. An internal road will be used to access onsite facilities and parking. No roads, intersections, or design features are proposed that would increase hazards. During long-term operation, vehicles accessing the site will be similar to those accessing the adjacent golf course. Off-site improvements would have no impact on traffic-related hazards at buildout. Overall, No impact would occur.

In regard to off-site improvements, stormwater management, pool/lagoon discharge, soil removal and storage, golf course turf reduction, and landscaping improvements would have no impact on circulation plans, policies, or programs.

### Mitigation Measures

#### Site Access Improvements

- TRANSP-1 The Project proponent shall pay its fair share of the costs of installing a traffic signal at the intersection of Cook Street and Market Place Drive. The fair share amount shall be 12.1%, as defined in Table 1-5 of the “Desert Wave Traffic Impact Analysis, City of Palm Desert,” prepared by Urban Crossroads, March 4, 2019. Signal timing shall be coordinated with the traffic signal at the intersection of Cook Street and Country Club Drive.
- TRANSP-2 The Project shall extend the eastbound left turn lane on Market Place Drive at Cook Street to provide a minimum of 165 feet of storage.
- TRANSP-3 Onsite traffic signing and striping shall be implemented in conjunction with detailed construction plans for the Project site.
- TRANSP-4 Sight distance at each Project access point shall be reviewed with respect to Caltrans and City of Palm Desert sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

#### Special Event Traffic Management

- TRANSP-5 The Project proponent shall coordinate with City staff to prepare, refine, and approve a Special Event Traffic Management Plan that facilitates the safe and efficient movement of special event traffic, shuttles, and pedestrians. A master management plan shall be prepared that details all potential measures required for a special event, which shall be supplemented with individual plans addressing specific special events based on their size and duration. The Special Event Traffic Management Plan shall be submitted to the City prior to certificate of occupancy for

the Surf Center. Individual management plans for specific special events shall be submitted at least 30 days prior to the start of the event. The Special Event Traffic Management Plan shall include the measures identified in Mitigation Measures TRANSP-6 through 14, below.

- TRANSP-6 Shuttle service shall be provided to transport spectators between the Project site and overflow parking lot via Desert Willow Drive, and for any other off-site parking location required to accommodate the parking requirements for each special event. The calculation for number of parking spaces required shall be based on the number of planned attendees, divided by 2.4, and multiplied by 0.70 (70%) (as described in Section 1.10 of the “Desert Wave Traffic Impact Analysis, City of Palm Desert,” prepared by Urban Crossroads, March 4, 2019). Shuttle routes and stops shall be identified in the Special Event Traffic Management Plan.
- TRANSP-7 In developing the Special Event Traffic Management Plan, the Project proponent shall include the use of portable changeable message signs (CMS) along Country Club Drive and Cook Street to facilitate event traffic to and from on-site and off-site parking.
- TRANSP-8 In developing the Special Event Traffic Management Plan, the Project proponent shall include the use of law enforcement personnel and/or special event flaggers to direct traffic at the following locations: 1) Desert Willow Drive & Country Club Drive, 2) Cook Street & Market Place Drive, 3) Desert Willow Drive & Market Place Drive, and 4) Desert Willow Drive & Project entrance. Any plans involving law enforcement personnel shall be coordinated with the Palm Desert Police Department.
- TRANSP-9 In developing the Special Event Traffic Management Plan, the Project proponent and City shall include the use of public service announcements (PSA) to provide information to event guests prior to the event. Examples include, but are not limited to, online event information (i.e., suggested routes, parking, etc.), changeable message signs (CMS) prior to the event, and brochures.
- TRANSP-10 The City shall provide traffic signal timing adjustments based on the expected peak arrival and departure periods of the special event at the following locations: 1) Desert Willow Drive & Country Club Drive, 2) Cook Street & Market Place Drive, and 3) Cook Street & Country Club Drive.
- TRANSP-11 In developing the Special Event Traffic Management Plan, the Project proponent shall include the designation of convenient and accessible drop-off and pick-up areas to promote ridesharing and reduce parking demands. The Plan may also include short-term parking with time restrictions of 10-15 minutes for staging areas for ridesharing vehicles.
- TRANSP-12 In developing the Special Event Traffic Management Plan, the Project proponent shall include providing off-site parking facilities for employees to increase available on-site parking for guests. Employee parking sites shall be served by shuttles that transport employees to and from the Project site.

- TRANSP-13 In developing the Special Event Traffic Management Plan, the Project Proponent shall include implementing valet parking to increase available on-site parking capacity.
- TRANSP-14 The Project proponent shall demonstrate availability of additional parking spaces at Desert Springs Marketplace, the Indian Wells Tennis Garden or other location(s) prior to each special event. Shuttle service to/from the Project site shall be provided to serve all off-site parking locations.

#### Emergency Access

- TRANSP-15 Prior to site disturbance, construction staging plans shall be approved by the Public Works, Fire, and Police Departments to assure they adequately consider and account for temporary detours, changing access to business and residential areas, and emergency access, and that they cause minimal disruption to adjoining streets and land uses, during all phases of Project development.
- TRANSP-16 The Construction Manager shall be required to identify and promptly repair any Project-related damage to existing public roads upon completion of each phase of Project development. The Construction Manager shall monitor the condition of these routes throughout the construction process and, in the event of an accidental load spill or other Project-related incident, shall arrange for the immediate clean-up of any material with street sweepers or other necessary procedures.
- TRANSP-17 The final location and design of the site access points and internal circulation improvements shall comply with City of Palm Desert access and design standards and be reviewed by the City Engineer and Fire and Police Departments.
- TRANSP-18 Parking adjacent to the surf lagoon, surf center, hotel, villas, and other buildings shall be prohibited, where necessary, to provide unobstructed access by emergency service vehicles and first responders.
- TRANSP-19 The Police and Fire Departments shall be provided with a Knox Box or other master key or access code that enables immediate entry to the Project's secured emergency access gate on Willow Ridge.

#### Cumulative Impact Mitigation

- TRANSP-20 The Project proponent shall participate in the CVAG's TUMF program by paying the requisite TUMF fees.

## Analysis of the Proposed Project

### Specific Plan and Precise Plan

The Specific Plan amendment would facilitate the same buildout potential as the 2019 Specific Plan, and therefore would result in similar impacts to traffic and circulation. Access to bicycle and golf cart facilities, transit, the pedestrian networks, and CV Link is the same as previously analyzed in the EIR.

Buildout of the revised Precise Plan has the potential to result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage, and a 14% reduction in parking compared to maximum buildout assumptions analyzed in the EIR. To calculate traffic trips for the Precise Plan, the same trip generation rates used in the 2019 EIR were used to calculate Project-specific trip generation. The following trip generation rates were used:

- Hotel: The 2019 EIR analyzed 350 rooms at a rate of 8.36 daily trips per room for a total of 2,926 daily trips. The Precise Plan proposes 92 rooms for a daily trip generation of 770 daily trips;
- Surf Center/Surf Lagoon: The 2019 EIR and Traffic Impact Analysis (TIA) used the number of guests per day as the metric to assess the surf center and lagoon trip generation. Daily capacity and usage rates will remain the same, and therefore the same assumptions used in the EIR were used for a total of 1,126 daily trips;
- Villas/Stacked Flats: The 2019 EIR analyzed 88 villas at a rate of 8.36 daily trips per unit for a total of 736. The Precise Plan proposes 83 units for a daily trip generation of 694;
- Retail: The 2019 EIR and TIA analyzed 4,000 square feet of retail space separate from the surf center and hotel at a rate of 46.12 daily trips per 1,000 square feet for a total of 152 daily trips. The Precise Plan proposes 418 square feet of retail to be located within the surf center building for a total of 20 daily trips;
- Restaurant/Bars: The 2019 EIR and TIA analyzed 11,250 square feet of restaurant/bar space at 112.18 daily trips per 1,000 square feet for a total of 1,264 daily trips. The Precise Plan proposes 3,271 square feet of restaurant/bar space for a total of 367 daily trips;
- Special Events: The Precise Plan does not propose changes to special event capacity, therefore it is assumed that the same daily trips would apply (3,500 guests for a total of 2,918 daily trips during special events)

Based on the factors above, the Precise Plan has the potential to generate approximately 2,977 daily trips (before internal trip capture) during typical operations (no special event). Compared to the maximum buildout assumptions analyzed in the 2019 EIR, the Precise Plan has the potential to reduce daily trips by 52%, from 6,204 daily trips (also before internal trip capture) to 2,977 daily trips. These trips will be further reduced by the internal capture created by the use synergies. Therefore, it can be assumed that daily trips and peak hour trips associated with buildout of the Precise Plan would be less intense than those previously analyzed in the EIR due to the reduction in overall development density and building square footage.



The Precise Plan would maintain the three emergency access points (two main driveways and Desert Willow Drive) previously analyzed in the 2019 EIR and will therefore not result in a new adverse impact. The Precise Plan will also have access to the same external network of transit, golf cart, bicycle, and pedestrian networks in Project vicinity, and proposes an internal network of multimodal paths to encourage non-vehicular travel throughout the site.

The proposed Project will adhere to the same mitigation measures set forth in the EIR and no new mitigation measures are required. Therefore, implementation of the proposed Specific Plan amendment and buildout of the Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR

### **3.17. UTILITIES**

#### **Summary of Findings in the EIR**

##### Water Service

The main water source used by CVWD for urban potable water use is local groundwater. The CVWD operates more than 100 wells to obtain groundwater from both the Whitewater River and the Mission Creek subbasins of the Coachella Valley Groundwater Basin.<sup>40</sup> The Coachella Valley Groundwater Basin has been identified by the Department of Water Resources (DWR) as being in a condition of overdraft since the 1940s. CVWD, through its water replenishment programs, estimates that overdraft in both the West and East Whitewater River subbasins has been curtailed, but must be maintained. Although Colorado River and SWP water are used to replenish the groundwater basin, the potable water distribution system does not currently receive water directly from either imported water source.

As discussed in the Hydrology and Water Quality Section, and per the Project-specific Water Supply Assessment (WSA), the proposed Project would require approximately 165.21 AF of water annually. Of that demand, it is anticipated that the 2019 Project will use up to 8.54 AFY of recycled water for landscaping. Implementation of the Turf Reduction Plan would reduce irrigation water consumption in the immediate Project area, serving to offset the water demand of the proposed Project by approximately 106.75 AFY. Use of recycled water for landscaping and the Turf Reduction Plan would reduce the Project's overall net water demand to 58.46 AFY. The Project's net domestic water demand of 58.46 AFY represents approximately 0.05 percent of the total water supply (114,600 AFY) for 2020 and 0.03 percent of the total water supply (194,300 AFY) for 2040 estimated by the CVWD in its Urban Water Management Plan.

The EIR and WSA determined that CVWD has sufficient water supplies available to serve the Project in future during normal, dry and multiple dry years. The Project's incremental effect would not be cumulatively considerable with respect to water supply and, therefore, impacts would be less than significant, with the implementation of the Turf Reduction Program required in Mitigation Measure HYD-4.

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<sup>40</sup> Engineer's Report on Water Supply and Replenishment Assessment 2017-2018, CVWD.

The 2019 Project would require extension of water lines within the site to connect to the existing CVWD water lines under Willow Ridge Road and the traffic circle at Desert Willow Drive. The Project may construct a new onsite well to supply the lagoon water demands, which will be metered in compliance with requirements of the RWRCB. This would not significantly affect CVWD water facilities, and once connected to the CVWD water lines, CVWD will have sufficient water to accommodate the proposed Project. Extension of water lines will have less than significant impacts on expanded water services because the physical expansion will occur within already disturbed areas of the golf course and its roadways, and because the proposed Project's mandate to implement a Turf Reduction Program will substantially reduce net water demand of the Project.

### Wastewater

CVWD also provides wastewater and sewage collection and treatment services in the city. Wastewater is conveyed through sewer trunk lines generally ranging in size from 4 to 24 inches, relying primarily on gravity flow. When the EIR was prepared, CVWD treated and recycled wastewater at two wastewater treatment plants (WRP-9 and WRP-10) for the City of Palm Desert and surrounding areas. These two plants had a total capacity of 18.40 million gallons per day. The EIR estimated that the Project would generate a total of 161,500 gpd of wastewater per day, which will constitute an increase of 1 percent of the treatment flows currently entering the CVWD's WRP-10 daily.

Recycled water from these facilities has been used for golf course and greenbelt irrigation in the City for many years, including irrigation at the Desert Willow golf course, thereby reducing demand on the groundwater basin. CVWD implements all requirements of the Regional Water Quality Control Board pertaining to water quality and wastewater discharge.

According to the CVWD, the existing sewer lines under Willow Ridge Road and the traffic circle at the clubhouse entrance on Desert Willow Drive have the capacity to handle the additional sewage generated by the Project, based on the number of lateral tie-ins presently contributing to the sewer flow. The Proposed Project will require construction of on-site sewer infrastructure to connect to the existing sewer mains located in the Desert Willow Drive and Willow Ridge Road rights-of-way.

Overall, the EIR determined that CVWD has sufficient treatment capacity to treat wastewater generated by the 2019 Project, and the Project is not anticipated to result in the construction or relocation of a wastewater treatment plant. The 2019 Project's impact on wastewater treatment systems would be less than significant.

### Stormwater Management and Protection

Within CVWD's boundaries, there are 16 stormwater protection channels. The entire system includes approximately 135 miles of channels built along the natural alignment of dry creeks that naturally flow from the surrounding mountains into the Whitewater River. Along with the channels, a number of dikes and levees have been designed and built to collect rapidly flowing flood water as it drains from the adjacent mountains onto the floor of the Coachella Valley.

The backbone of the stormwater protection system is a 50-mile stormwater channel that runs from the Whitewater area north of Palm Springs to the Salton Sea. The western half of the channel, known as the Whitewater River Stormwater Channel, runs along the natural alignment of the Whitewater River that cuts diagonally across the valley to Point Happy in La Quinta. Because the riverbed flattens out naturally downstream from La Quinta, a constructed stormwater channel funnels flood waters to the Salton Sea. East of Point Happy, the channel is known as the Coachella Valley Stormwater Channel. The channel was built to withstand a flow of 80,000 cubic feet per second, which is greater than flows generated by a 100-year flood event.<sup>41</sup>

The Project would introduce impervious surfaces in the project area through the construction of buildings, pedestrian pathways, parking lots, and internal roadways. As explained in the Hydrology and Water Quality Section, the Project site is divided into four drainage areas from which onsite runoff will be conveyed into three existing Desert Willow Golf Course drainage waste areas. These drainage waste areas do not have drain pipes to the Project site currently. Drain pipes will need to be constructed and extended from the Project site in these areas as part of the proposed Project. The drainage pipe extensions are considered off-site improvements, and their impacts discussed separately below. The preliminary hydrology study for the 2019 Project demonstrates that the existing waste areas have capacity to accommodate Project 100-year flows. Therefore, the 2019 Project will not result in a need to construct additional drainage facilities beyond those envisioned for the Desert Willow project, and impacts will be less than significant.

### Electricity

Southern California Edison (SCE) provides electrical service to the City of Palm Desert and many areas of the Coachella Valley, serving approximately fifteen (15) million people within a service area of approximately 50,000 square miles, including the Coachella Valley. According to the Palm Desert Greenhouse Gas Inventory Update, city-wide electricity usage in Palm Desert in 2013 was 756,834,386 kWh.<sup>42</sup> This includes all electricity consumed by municipal buildings, residential, commercial, and industrial land uses, and resorts and golf courses, combined.

Operation of the proposed Project would consume approximately 21,711,725 kWh per year of electricity in total<sup>43</sup>. This represents a 2.87 percent increase in annual City-wide electricity usage. Installation of solar panels would offset the Project's electrical demand, thereby reducing it to approximately 20,011,725 kWh per year, which represents approximately 2.64 percent of the City's total electricity demand.

The Project will connect to the existing nearest SCE underground distribution lines located east of the site. Construction of the Project will comply with applicable SCE guidelines regarding installation, extensions, and connections to limit impacts to electricity infrastructure and avoid service interruptions. No new SCE electric power facilities will need to be constructed or relocated. Impacts will be less than significant.

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<sup>41</sup> Ibid.

<sup>42</sup> Palm Desert Greenhouse Gas Inventory 2013 Update.

<sup>43</sup> See Section 2.6 Energy for detailed discussion. Annual kWh were estimated in CalEEMod using historical energy data for similar land use/building types, and Project-specific engineering estimates for the surf lagoon.

### Natural Gas

Natural gas is provided to the City of Palm Desert by the Southern California Gas Company (SoCalGas). According to the Palm Desert Greenhouse Gas Inventory Update, city-wide natural gas consumption totaled 17,532,930 therms in 2013.<sup>44</sup> This includes natural gas consumed by residential, commercial, and industrial land uses, and resorts and golf courses.

Operation of the proposed Project would consume approximately 331,811 therms per year<sup>45</sup> of natural gas in total, which is equivalent to a 1.89 percent increase in annual City-wide natural gas usage (City-wide usage is approximately 17,532,930 therms per year, according to the Palm Desert Greenhouse Gas Inventory 2013 Update). The Project site would connect to the existing SoCalGas distribution lines located at the perimeter of the Desert Willow traffic circle. Prior to ground disturbance, Project contractors would notify and coordinate with SoCalGas to identify the locations and depths of all existing gas lines and avoid disruption of gas service. No additional natural gas facilities will need to be constructed or relocated. Impacts will be less than significant.

### Telecommunications

Landline phone services in the City are mainly provided by Frontier Communications Corporation. It is the fourth largest provider of digital subscriber lines (based on coverage area) in the County. The project site will connect to the existing telecommunication lines located adjacent to the site in Desert Willow Drive. Lines currently in place are sufficient to supply the Project, and no new lines are expected to be required. No impact is anticipated.

### Solid Waste

Solid waste disposal services in Palm Desert are provided by the commercial vendor Burrtec. Solid waste collected from residents and businesses is hauled to the Edom Hill Transfer Station in Cathedral City and is then transported to regional landfills. When the EIR was prepared, the remaining capacities for these landfills were as follows:

<b>Lamb Canyon Sanitary Landfill</b> Location: Beaumont Remaining Capacity = 19,242,950 Cubic Yards Ceased Op Date = 04/01/2029
<b>Oasis Sanitary Landfill</b> Location: Oasis Remaining Capacity = 433,779 Cubic Yards Ceased Op Date = 09/01/2055
<b>Mecca Landfill II</b> Location: Mecca Remaining Capacity = 6,371 Cubic Yards Ceased Op Date = 01/01/2098
Source: Solid Waste Information System database, CalRecycle.

<sup>44</sup> Palm Desert Greenhouse Gas Inventory 2013 Update.

<sup>45</sup> See Section 2.6 Energy for detailed discussion. Therms were estimated in CalEEMod using historical energy data for similar land use/building types.

Solid waste from the future development in the City would be disposed of in the Mecca II and Oasis landfills when the Lamb Canyon Sanitary Landfill has reached its capacity. All development is required to comply with the mandatory commercial and multi-family recycling requirements of Assembly Bill 341. The City of Palm Desert has implemented many programs within the community as well as within its own organization to meet AB 341 goals.

Construction of the 2019 Project would generate solid waste in the form of sediments, trash and debris, oil and grease, fuels, lubricants, asphalt and concrete waste, and similar materials. Based on the Estimated Solid Waste Generation Rates established by CalRecycle, the Project would dispose of approximately 355 tons of solid waste per year<sup>46</sup> at buildout. The Project would be required to achieve 50 percent waste diversion in accordance with Riverside County's Integrated Waste Management Plan (CIWMP); based on this requirement, the total solid waste generation for the Project will be approximately 212.66 tons per year. Implementation of State and municipal requirements to reuse and recycle construction and operation waste would lessen the amount of solid waste generated by the Project. The 2019 Project would contribute 0.02% to Lamb Canyon's remaining capacity.<sup>47</sup> The EIR determined that less than significant impacts would occur from the Project, and no mitigation will be required.

## **Analysis of the Proposed Project**

### *Specific Plan and Precise Plan*

The Specific Plan amendment would facilitate the same buildout potential of the 2019 Specific Plan, resulting in the same demand for utilities. Therefore, the Specific Plan amendment would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR.

Buildout of the revised Precise Plan has the potential to result in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, 53% reduction in hotel and villa building square footage compared to maximum buildout assumptions analyzed in the EIR. Therefore, it can be assumed that demands for water, wastewater, telecommunication facilities, energy infrastructure, and solid waste disposal would be less than those previously analyzed in the EIR under maximum buildout conditions. Utility demands of the surf lagoon would remain less than significant under either buildout scenario (2019 or proposed Project).

To calculate water demands for the Precise Plan, the same water demand factors used in the EIR were used to calculate Project-specific water demands. The following water demand factors were used:

- Hotel: 115 gal per room per day. Precise Plan proposes 92 rooms for a daily demand of 10,695 gallons per day, or 11.85 acre-feet per year (AFY);

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<sup>46</sup> Retail = 0.02 lb/SF/day; Office = 0.006 lb/SF/day; Hotel = 2 lb/room/day; Multi-family = 5.1 lb/unit/day. CalRecycle.

<sup>47</sup> Assumes that 1 CY of commercial and residential recyclable solid waste is equivalent to 100 lbs (averaged). "Volume to Weight Conversion Factors," US EPA Office of Resource Conservation and Recovery. April 2016.



- Surf Center Ancillary Uses/Maintenance/General Retail: 0.19 gallons per square foot per day. Precise Plan proposes 12,323 square feet of surf center and maintenance space resulting in a daily demand of 2,341.37 gallons per day, or 2.62 AFY;
- Surf Lagoon: The same assumptions used in the EIR were used for a total demand of 73.04 AFY;
- Villas: 117.7 gallons per unit per day. 83 units would generate a water demand of 9,769.1 gallons per day, or 10.94 AFY;
- Pools/Landscaping: The same assumptions used in the EIR were used for a total demand of 15.9 AFY.
- Turf Reduction Program: The same assumptions used in the EIR were used for a total reduction of 106.75 AFY.

Based on the factors above, buildout of the proposed Precise Plan would result in a water demand of 114.35 AFY. If the 106.75 AFY of water saved from the Turf Reduction Program is applied to the proposed Project, the Project's remaining net domestic water demand would be 7.6 AFY. This represents an 87% reduction in net annual water demand compared to the 2019 Project net water demand of 58.46 AFY. The reduction is primarily due to the significant reduction in hotel rooms, which were originally assumed to total 350. The proposed Precise Plan represents a 74% reduction in hotel rooms. In addition, the reductions associated with less surf center restaurant area, and the minor reduction in the total number of villas, from 88 to 83, contribute to a substantial reduction in water demand for the proposed Project. Therefore, buildout of the Precise Plan would be less intense than what was previously analyzed in the EIR, and impacts to water supply would be substantially reduced, and less than significant.

Using the wastewater generation rate of 230 gallons per day per room/unit and 100 gallons per day per 1,000 square feet of commercial, buildout of the Precise Plan would generate approximately 41,782.3 gallons per day of wastewater, which is 119,717.7 gallons per day less (74%) than maximum buildout of the site under the existing and proposed Specific Plan (161,500 gallons per day) analyzed in the EIR. Therefore, buildout of the Precise Plan would be less intense than that previously analyzed in the EIR due to the reduction in residential density and building square footage, and would represent a less than significant impact on sanitary sewer service.

Based on the Estimated Solid Waste Generation Rates established by CalRecycle<sup>48</sup>, the proposed Precise Plan would dispose of approximately 853.76 pounds per day or 155.8 tons of solid waste per year at buildout. This represents a 27% reduction in annual tons of solid waste when compared to maximum buildout of the site under the existing and proposed Specific Plan (212.66 tons per year). Therefore, buildout of the Precise Plan would be less intense than that previously analyzed in the EIR due to the reduction in residential density and building square footage, and impacts would remain less than significant.

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<sup>48</sup> Retail = 0.02 lb/SF/day; Office = 0.006 lb/SF/day; Hotel = 2 lb/room/day; Multi-family = 5.1 lb/unit/day. CalRecycle.

Summary

Both the buildout of the Specific Plan and the proposed Project will be required to comply with General Plan policies, and regulations associated with CVWD water and wastewater use, and solid waste disposal. These standards and conditions will serve to further reduce impacts, when compared to those analyzed in the EIR. Therefore, implementation of the proposed Specific Plan amendment and buildout of the Precise Plan would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.