

FINAL

Environmental Impact Report

Desert Hot Springs General Plan Update
and Zoning Amendment

SCH #2019080101

City of Desert Hot Springs

May 1, 2020



Desert Hot Springs General Plan Update and Zoning Amendment

Final Environmental Impact Report/
Response to Comments

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Table of Contents

Final Environmental Impact Report/Response to Comments	Page
1.0 Introduction	1-1
2.0 Response to Comments	2-1
3.0 Errata.....	3-1
4.0 Public Circulation.....	4-1

List of Tables

Table 1-1	General Plan Update: Comparison of 2018 and 2040	1-2
Table 2-1	DEIR Comments	2-1

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1.0 – INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared to comply with Sections 15088 and 15089 of the State California Environmental Quality Act (CEQA) Guidelines (Guidelines). The City has prepared the Final EIR pursuant to the CEQA Guidelines, including Sections 15086 (Consultation Concerning Draft EIR) and 15088 (Evaluation of and Responses to Comments). As noted in Section 15089 (b) of the Guidelines, the focus of a FEIR should be on the responses to comments on the Draft Environmental Impact Report (DEIR). In conformance with these guidelines, the Final EIR consists of the following volumes:

- (1) The **Draft EIR** circulated for a 45-day public agency and public review and comment period commencing February 14, 2020 and ending on April 1, 2020. A Notice of Availability was sent to government agencies, neighboring cities, and non-governmental interested parties. The City's Notification Mailing List for the DEIR is provided in Section 3.0 (Public Circulation) of this FEIR.
- (2) This **Final EIR document** includes a list of all commenters on the Draft EIR during the Draft EIR public review period, the responses of the City to all environmental points raised through the written communications, revisions to the Draft EIR (presented as errata pages) in response to comments, and the public circulation record. None of the revisions to the Draft EIR represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in the Draft EIR.

Certification of this Final EIR by the Desert Hot Springs City Council must occur prior to approval of the General Plan Update and Zoning Amendment.

Availability of EIR Materials

All materials related to preparation of this EIR are available for public review on the City of Desert Hot Springs website (<https://www.cityofdhs.org/general-plan-update>) and at the following locations:

City of Desert Hot Springs
Community Development Department
65950 Pierson Boulevard
Desert Hot Springs, California 92240

Desert Hot Springs Library
11691 West Drive
Desert Hot Springs, California 92240

Project Description

The General Plan Update is intended to achieve the land use, transportation, housing, and other goals of the City that reflect the community's growth over the long-term. Table 1-1 compares 2018 and 2040 land uses for the City of Desert Hot Springs, the Sphere of Influence, and the overall Planning Area. The 2040 planning horizon for the Planning Area is estimated at approximately 53,664 dwelling units, 136,402 residents, 20,349,704 square feet of non-residential uses, and 20,531 jobs. This table shows existing conditions as of 2018 and the projected growth based on the proposed land use plan for a future horizon year of 2040.

**Table 1-1:
General Plan Update: Comparison of 2018 and 2040**

Area		Dwelling Units			Pop.	Non-Residential Building Sq. Ft.	Employees	Hotel/Motel Rooms	Students
		SF ¹	MF ²	Total					
City	2018	8,358	3,204	11,562	29,390	2,655,016	4,162	755	6,326
	2040	22,214	12,594	34,808	88,476	13,140,605	14,611	1,652	12,900
	Change	+13,856	+9,390	+23,246	+59,086	+10,485,589	+10,449	+897	+6,574
SOI	2018	7,292	246	7,538	19,160	559,250	1,020	--	763
	2040	18,025	831	18,856	47,926	7,209,099	5,920	--	7,100
	Change	+10,733	+585	+11,318	+28,766	+6,649,849	+4,900	--	+6,337
Plan Area	2018	15,650	3,450	19,100	48,550	3,214,266	5,182	755	7,089
	2040	40,239	13,425	53,664	136,402	20,349,704	20,531	1,652	20,000
	Change	+24,589	+9,975	+34,564	+87,852	+17,135,438	+15,349	+897	+12,911
¹ Single Family ² Multi-Family									

General Plan Elements

The General Plan Update addresses the seven State mandated general plan elements (land use, circulation, housing, safety, conservation, open space, and noise), and also includes two optional elements the Economic Development Element and the Health and Wellness Element. The updated General Plan establishes an overall development capacity and serves as a policy guide for determining the appropriate physical development, community services, and character of the entire Planning Area. The General Plan Update includes the following chapters:

- Introduction
- Land Use and Community Design Element
- Housing Element
- Economic Development Element
- Mobility and Infrastructure Element
- Open Space and Community Resources Element
- Health and Wellness Element
- Safety and Noise Element

Each of the elements contains goals and policies consistent with the implementation of the GPU. Many of these goals and policies are intended to maintain various potential environmental effects of the Project at levels that are less than significant. Therefore, these goals and policies, in particular, are considered when evaluating the potential environmental impacts of implementing the GPU. The policies that are applicable to various environmental impact issue areas are shown in the Introduction of Section 4. The entire list of goals and policies from the GPU are also provided in Appendix C of this DEIR.

Land Use and Community Design Element

The Land Use and Community Design Element provides the framework for establishing the patterns of development activity and land uses that support the visual character and built physical environment of a desert community. This Element serves as a guide for decision-makers, residents, stakeholders, business owners, and property owners as it identifies and describes the type, intensity, and general distribution of land for housing, businesses, industries, and public facilities. Land use designations identify the general categories of land-based activities permitted throughout the Planning Area. The land use overlays identify special study areas for which specific land use policies have been developed to better shape growth in these areas. The goals and policies contained in the chapter provide guidance to plan for orderly growth, promote economic development, and protect natural resources. The Land Use and Community Design Element includes a Land Use Plan that establishes 12 land use designations intended to provide a rational and orderly approach to land use development.

Housing Element

This Housing Element provides a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing for all community residents. The Housing Element specifically intends to: 1) provide direction for future planning programs to ensure that sufficient consideration is given to housing goals and policies; 2) establish community goals and policies relative to housing through the identification of existing, stated, and implicit goals, and the identification of housing needs and challenges; 3) and establish and identify programs to implement and attain the community's goals and policies, taking into consideration the feasibility of those programs, and act as a meaningful guide to decision-makers considering housing-related issues.

Economic Development Element

The Economic Development Element guides the City in expanding, maintaining, and enhancing the local economy that provide jobs, attract and retain businesses, support diverse and vibrant commercial areas, and provide sufficient revenue to local government. The Economic Development Element provides the central organizational unit to establish the goals and policies focused specifically on economic development related to strengthening established industries, business attraction and retention, and capturing local dollars.

Mobility and Infrastructure Element

The Mobility and Infrastructure Element focuses on mobility and transportation, addressing complete streets, pedestrian and bicycle networks, transit access, and the roadway network. It also addresses street infrastructure, roadway design, and management. The infrastructure component addresses utilities related to water and wastewater, drainage and flood control, energy utilities, and solid waste and recycling.

Open Space and Community Resources Element

The Open Space and Community Resources Element addresses open space and habitat conservation, resource conservation, aesthetic resources, and cultural resources. The Element sets forth goals and policies that address preservation of open space and natural habitat, natural resource conservation, preservation of scenic resources, protecting water resources, managing energy resources, reducing greenhouse gas emissions, protecting historic preservation and cultural resources, and promoting sustainable building practices.

Health and Wellness Element

The Health and Wellness Element consists of three subjects: Health and Wellness; Parks, Recreation, Trails; and Life-Long Learning. Health and Wellness includes goals and policies addressing health and human services, homelessness, access to healthy foods, and environmental justice. Parks, Recreation, and Trails includes goals and policies addressing park facilities, recreational programming and classes, trails connectivity, and trailheads. Life-Long Learning includes goals and policies addressing schools, library services, and other life-long learning services.

Safety and Noise Element

The Safety and Noise Element addresses hazards and safety concerns that could adversely affect property and threaten lives in the City, including noise. The Safety and Noise Element is categorized into four topic areas: public safety, resilience and emergency preparedness, natural hazards, and noise. Public safety addresses fire and police protection service capabilities and needs. Resilience and emergency preparedness include policies to prevent or minimize potential loss of life or property damage and to respond effectively to safety hazards, accidents, and natural disasters. Natural hazards address seismic hazards, high winds and dust, wildland fires, and flooding. Noise identifies noise sources in the community, establishes acceptable levels of noise, projects future noise conditions, and identifies abatement strategies.

Zoning Code Amendment

The Zoning Code Amendment, which is being completed in concert with the GPU, includes an updated Zoning Map with revised and new Zoning Districts that are consistent with the Land Use Policy Plan map and corresponding land use designations proposed under the Draft Land Use Element. The revised and new Zoning Districts will include development standards and tables identifying permitted, conditional, and prohibited uses. This Zoning Code Amendment implements the General Plan Update.

Intended Use of the EIR

The planning framework proposed in the General Plan Update would not result in the immediate construction of any new development nor entitlement of any new project. All new development within the City will continue to be subject to the City's permitting, approval, and public participation processes. Elected and appointed officials along with City Staff will review subsequent project applications for consistency with the General Plan, applicable Specific Plans, and the Zoning Ordinance, and will prepare appropriate environmental documentation to comply with CEQA and other applicable environmental requirements.

Pursuant to Section 15168 of the State CEQA Guidelines, this EIR is a Program EIR. The goals, policies, land use designations, implementation programs, and other substantive components of the General Plan and implementing sections of the Zoning Ordinance comprise of the "program" evaluated in this Program EIR. Subsequent activities undertaken by the City and project proponents to implement the General Plan will be examined considering this Program EIR to

determine the appropriate level of environmental review required under CEQA. Subsequent implementation activities may include but are not limited to the following:

- Rezoning of properties to achieve consistency with the General Plan.
- Updating and approval of Specific Plans and other development plans and planning documents.
- Approval of tentative maps, variances, conditional use permits, and other land use permits and entitlements.
- Approval of development agreements.
- Approval of facility and service master plans and financing plans.
- Approval and funding of public improvement projects.
- Approval of resource management plans.
- Issuance of permits and other approvals necessary for implementation of the General Plan.
- Issuance of permits and other approvals necessary for public and private development projects.
- Future amendments to the City's Housing Element and other General Plan Elements.

Following certification of this EIR and adoption of the General Plan Update by the lead agency (City of Desert Hot Springs), other agencies may use this Program EIR in the approval of subsequent implementation activities. These agencies may include but are not limited to those listed below:

- Riverside County Local Agency Formation Commission (LAFCO)
- County of Riverside
- Riverside County Flood Control and Water Conservation District
- Riverside County Transportation Commission
- California Department of Fish and Wildlife
- California Department of Conservation
- California Department of Housing and Community Development (HCD)
- California Department of Transportation (Caltrans)
- Santa Ana Regional Water Quality Control Board
- South Coast Air Quality Management District
- U.S. Fish and Wildlife Services
- National Park Service (Joshua Tree National Park)
- Bureau of Land Management (Sand to Snow National Monument)

General Plan Update Objectives

The Desert Hot Springs GPU serves as the blueprint for the City's future growth and development. As such, the General Plan must contain goals, policies, and programs that will provide City staff and discretionary bodies with a foundation for decisions for long-range planning related to physical development and public services. The General Plan Update establishes the following objectives for the long-term growth and enhancement of the community:

1. Allow for clear and flexible developments to allow for a range of residential, commercial, and industrial opportunities.
2. Create complete neighborhoods for new and established residential areas with connections to retail and commercial services, public amenities and services, transportation services, and parks and recreation facilities.
3. Expand and diversify housing opportunities throughout the community.
4. Foster growth of the economic base of the community and the provision of commercial services and amenities, as well as pursue more sustainable revenue sources for government services.
5. Strengthen the community's resilience and preparedness against natural and human-induced hazards, climate change, and other potential disasters.
6. Protect the natural habitat, open spaces, and desert washes within the community.
7. Plan and provide a transportation system that meets the needs of the community, while providing mobility options, complete street approaches, and safer streets for pedestrians.
8. Expand park facilities and recreational programming opportunities throughout the community.
9. Promote the community's role as a health and wellness destination.

2.0 – Response to Comments

The Draft EIR was circulated for 48-day public review and comment period beginning February 14, 2020 and ending on April 1, 2020. A Notice of Availability was sent to government agencies, neighboring cities, and non-governmental interested parties. The City's Draft EIR Notification Mailing List is provided in Section 4.0 Public Circulation of this Final EIR. Six comment letters on the Draft EIR were received, by the end of the public review comment period on April 1, 2020. Another comment letter was received after the close of the public review period from the Riverside County Transportation Department on April 8, 2020: nonetheless a response has been provided to this comment letter.

Also included is a letter received during the Draft EIR public review period from the Agua Caliente Band of Cahuilla Indians indicating that the SB 18 and AB 52 tribal consultation processes have been concluded to their satisfaction. Although this letter does not explicitly address issues pertaining to the Draft EIR it is included as part of the administrative record.

The correspondences listed in Table 2-1 (DEIR Comments) were submitted to the City of Desert Hot Springs concerning the Draft EIR. Copies of each correspondence is provided and is followed by written responses to each comment included in the correspondence.

Table 2-1
Written Comments Received

ID	Agency/Entity	Date
A	Coachella Valley Association of Governments	April 1, 2020
B	Coachella Valley Water District	April 1, 2020
C	Desert Water Agency	April 1, 2020
D	Lucker Anderson	April 1, 2020
E	Riverside County Flood Control District	March 26, 2020
F	California Office of Planning and Research State Clearinghouse	April 1, 2020
G	Riverside County Transportation Department	April 8, 2020
H	Agua Caliente Band of Cahuilla Indians	March 24, 2020

COMMENT LETTER A – COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS (SULLIVAN)

The CVMSHCP is administered by the Coachella Valley Conservation Commission (CVCC). The CVCC is a separate government agency from CVAG with a separate executive committee. CVCC contracts with CVAG for general administration so you do deal with CVAG employees when you deal with the CVMSHCP.

A-1

The Habitat Acquisition and Negotiation Strategy (HANS) is not used in DHS. The write-up of the CVMSHCP in the draft DHS General Plan seems to confuse the Western Riverside MSHCP with the Coachella Valley MSHCP.

A-2

The 2016 CVMSHCP is most relevant to DHS as it includes the Major Amendment which added DHS and Mission Springs Water District as Permittees. http://www.cvmshcp.org/Plan_Documents.htm I could not find in the Draft EIR a mention that DHS is a Permittee since 2016. The Draft EIR speaks of Riverside County ordinances but these are only relevant in the I-10 Annexation Area not the rest of the city. The Draft EIR should explain that DHS has a MOU (attached) with the County requiring implementation of the attached County Policy A-61 in the Conservation Areas within the I-10 Annexation Area.

A-3

I would be happy to work with you or your consultant on revising the language.

Thank you,



ID	Response to Comment Letter A- Coachella Valley Association of Government
A-1	This comment indicates that the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) is administered by the Coachella Valley Conservation Commission (CVCC) and not the Coachella Valley Association of Governments (CVAG), although both entities are staffed by CVAG employees. A clarifying revision has been provided on page 4.4-30 and is included in Section 3 – Errata and Revisions – of this document.
A-2	This comment clarifies that the Habitat Acquisition and Negotiation Strategy (HANS) is not applicable to Desert Hot Springs. Clarifying revisions removing references to HANS have been made to Section 4.4 (Biological Resources) of the EIR and specific text changes proposed are included in Section 3 – Errata and Revisions – of this document.
A-3	This comment references the I-10 Annexation Areas and the MOU that the City has with Riverside County requiring implementation of County Policy A-16. Clarifying revisions have been included in Section 4.4 (Biological Resources) of the EIR and the specific text changes proposed are included in Section 3 – Errata and Revisions – of this document.

COMMENT LETTER B – COACHELLA VALLEY WATER DISTRICT (KRAUSE)



COACHELLA VALLEY WATER DISTRICT

Established in 1918 as a public agency

GENERAL MANAGER
Jim Barrett

ASSISTANT GENERAL MANAGER
Robert Cheng

CLERK OF THE BOARD
Sylvia Bermudez

ASSISTANT GENERAL MANAGER
Dan Charlton

April 1, 2020

Rebecca Deming
Community Development Director
Community Development Department
65950 Pierson Boulevard
Desert Hot Springs, CA 92240

Dear Ms. Deming:

Re: Coachella Valley Water District Comments on the Draft Environmental Impact Report
(DEIR) for the Proposed General Plan Update for the City of Desert Hot Springs

The Coachella Valley Water District is an independent special district formed in 1918, specifically to protect and conserve local water sources in the Coachella Valley. Since then, the district has grown into a multi-faceted agency that delivers irrigation and domestic water, collects and recycles wastewater, provides regional storm water protection, replenishes the groundwater basin and promotes water conservation. The CVWD is one of only 29 State Water Contractors in California which has a right to imported water from the State Water Project. The CVWD, in conjunction with Desert Water Agency, has a combined Table 1 allocation of 194,100 acre-feet of water from the State Water Project.

CVWD has been designated as an exclusive Groundwater Sustainability Agency (GSA) for the portions of the Indio Subbasin (DWR Subbasin No. 7-21.01) and Mission Creek Subbasin (DWR Subbasin No. 7-21.02) within its boundaries (Figure 1). In addition to its GSA groundwater management responsibilities under the Sustainable Groundwater Management Act (SGMA), the California State Water Code Sections 31630-31639 authorizes CVWD to conduct groundwater replenishment programs within its boundary. CVWD manages two groundwater replenishment program in the Indio Subbasin and one groundwater replenishment program in the Mission Creek Subbasin to help meet the water related needs of its domestic customers, municipalities, and private groundwater pumpers within its boundary.

CVWD and DWA completed construction of the Whitewater River Groundwater Replenishment Facility in 1973 and the Mission Creek Groundwater Replenishment Facility in 2002. In addition, CVWD completed construction of the Thomas E. Levy Groundwater Replenishment Facility in 2009 and the Palm Desert Groundwater Replenishment Facility in 2019 to replenish the eastern and central areas of the Indio Subbasin, respectively. Recharge activities commenced at each facility upon completion of the facilities.

B-1

Coachella Valley Water District
P.O. Box 1058 Coachella, CA 92236
Phone (760) 398-2651 Fax (760) 398-3711

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Rebecca Deming
April 1, 2020
Page 2

CVWD and DWA together are responsible for ensuring the sustainability of the groundwater supply within the Mission Creek Subbasin, which is the sole source of water supply used by both CVWD and Mission Springs Water District (MSWD) to meet the current and future domestic water needs of the City of Desert Hot Springs and other communities overlying the Mission Creek and Desert Hot Spring Subbasins. An Alternative to a Groundwater Sustainability Plan (Alternative Plan) for this subbasin was approved by the California Department of Water Resources (DWR) in July 2019. The Alternative Plan is currently in the process of being updated, as required by DWR, and the population projections and water demands for the subbasin will be based on the 2016 Southern California Association of Governments (SCAG) Demographics and Growth Forecast.

**B-1
Cont.**

Under the SGMA, state policy on water supplies and land use decision making was amended to provide that there be close coordination and consultation between California's water supply or management agencies and California's land use approval agencies, to ensure that proper water supply planning and management occurs to accommodate projects that will result in increased demand on water supplies or will impact water resource management. More specifically, before the adoption or any substantial amendment of a city's or county's general plan, the planning agency must review and consider the adoption of, or update to, a groundwater sustainability plan or groundwater management plan (Govt. Code § 65352). Further, a city or county must now refer the proposed adoption or substantial amendment of a general plan to any affected GSA (Govt. Code § 65352). In response, the GSA must provide the land use agency with the current version of its GSP, other water management documents, and any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies. However, nothing in the SGMA or a GSP shall be interpreted as superseding the land use authority of cities and counties, including a city or county general plan, within the basin (CWC § 10726.8). These requirements under SGMA and a link to the approved Alternative Plan were sent to the City of Desert Hot Springs, Community Development, on January 30, 2020.

CVWD in collaboration with DWA provides the following comments regarding Section 4.10.4.B of the DEIR for the proposed General Plan Update for the City of Desert Hot Springs (Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?). The EIR states that the existing urban water management plans for MSWD and CVWD do not take into account the proposed development associated with implementation of the GPU and offers that Mitigation Measure UTL-1 does not allow approval of new development associated with the implementation of the GPU if they increase water use in excess of what is identified for supply in 2040 under the most recent Urban Water Management Plan (UWMP). The current 2015 UWMPs are being updated and, like the Alternative Plan, are basing their analysis and planning on the 2016 SCAG Demographics and Growth Forecast, which is not consistent with the City's proposed General Plan Update (GPU). Furthermore, having identified water supply shortfalls from the implementation of the proposed GPU that have not been included in existing planning documents, the DEIR's Mitigation Measure UTL-1 seems contradictory by proposing growth that exceeds the water supply identified by MSWD and CVWD in their 2015 UWMPs.

B-2

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April 1, 2020
Page 3

The Desert Hot Springs GPU must align itself with the current and proposed water supply planning documents for this area. As proposed, the GPU does not align with the population projections being used as the basis for future water supply planning. The current imported water supply is significantly inadequate to meet the GPU's projected future water demands due to climate change and environmental constraints in the San Francisco Bay Delta. CVWD and DWA are actively pursuing participation in the State Water Project Delta Conveyance Facility and Sites Reservoir projects to provide increased future water supply to meet future water supply demand projections. However, both of these projects have not yet obtained approvals for construction. It is CVWD's opinion that the impact of the GPU on sustainable groundwater supply is significant and that the mitigation measure is not adequate. We encourage closer consultation with CVWD and DWA to ensure that the GPU is consistent with the water supply planning documents for the Mission Creek Subbasin.

B-3

Sincerely,



Steve Bigley
Director of Environmental Services

cc: Mark Krause
General Manager-Chief Engineer
Desert Water Agency
1200 S Gene Autry Trail
Palm Springs, CA 92264

ZR:\sl\Env\Environmental\2020\April\DHS DEIR

File Numbers: 0163.1 and 1150.12.

Coachella Valley Water District
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www.cvwd.org

ID	Response to Comment Letter B- Coachella Valley Water District
B-1	<p>This comment summarizes the Coachella Valley Water District (CVWD) roles and responsibilities with respect to water supply and groundwater management and highlights the District's major groundwater replenishment facilities and programs.</p> <p>The fourth paragraph of the comment also indicates that an Alternative to a Groundwater Sustainability Plan for the Mission Creek and Desert Hot Springs sub-basins was approved by the California Department of Water Resources (DWR) in July 2019. CVWD further explain that the Alternative Plan is currently in the process of being updated, as required by DWR, and the population projection and water demands for the sub-basins will be based on the 2016 Southern California Association of Governments (SCAG) Demographics and Growth Forecast.</p> <p>The fifth and final paragraph of this comment describes the policy requirements and procedures of the State of California Sustainable Groundwater Management Act (SGMA) and further indicates these requirements and a link to the Alternative Plan were sent to the City of Desert Hot Springs Community Development on January 30, 2020.</p> <p>Although this comment provides useful background that relates to the other comments (B-2 and B-3) by CVWD, it does not actually provide a comment on the Draft EIR and therefore no further response is necessary.</p>
B-2	<p>CVWD notes that their comments are in collaboration with the Desert Water Agency (DWA) and references Section 4.10-4.B of the Draft EIR (see page 4.10-13) which addresses the potential impacts of the General Plan Update on groundwater recharge. The comment also indicates that the 2015 Urban Water Management Plans (UWMP) for the CVWD and the DWA, which were both adopted in June 2016, are in the process of being updated, with the analysis for these documents based on the 2016 Southern California Association of Governments (SCAG) 2016 Demographic and Growth Forecast which has a year 2040 time horizon. California State law requires that public agency water suppliers update their UWMP every five years with the upcoming round of updates due in June of 2021.</p> <p>The CVWD reference that the Draft EIR says that existing urban water management plans for the Mission Springs Water District (MSWD) and CVWD do not take into account the proposed development associated with implementation of the GPU. This is a correct statement because the 2015 UWMP's were prepared prior to the General Plan Update. The 2015 UWMP for the MSWD, which serves 98% of the population within the City of Desert Hot Springs and its Sphere of Influence (SOI), estimated a year 2015 population of 37,614 (including the City SOI) and a projected year 2040 population of 70,114. In contrast, the Draft EIR projected a year 2040 population of 136,402, although this estimate includes the small area that is served by the CVWD. The CVWD 2015 UWMP does not include population projections or estimates specific to the area that it serves within the City and its SOI.</p> <p>This comment also addresses Mitigation Measure UTL-1 which was included in the Draft EIR to mitigate potential water supply issues. Water supply issues are addressed in Section 4.19 (Utilities and Service Systems) as well as Section 4-10 (Hydrology and Water Quality) of the Draft EIR</p>

ID	Response to Comment Letter B- Coachella Valley Water District
	<p>The full text of Mitigation Measure UTL-1 is provided below.</p> <p>Mitigation Measure ULT-1: Developments, under the GPU, will not be approved if they increase water use in excess of what is identified for supply in 2040 under the most recent UWMP.</p> <p>The CVWD comment asserts that, because the Draft EIR acknowledges that the growth contemplated in the GPU is not accounted for in the 2015 UWMP's (referred to by the commenter as a "shortfall"), Mitigation Measure ULT-1 "seems contradictory by proposing growth that exceeds the water supply identified by the MSWD and CVWD in their 2015 UWMPs."</p> <p>Mitigation Measure (MM) UTL-1 is not contradictory with respect to water supply. Instead it acknowledges the water supply planned for in the UWMP's and provides a hard limit for avoiding future water supply shortages by restricting growth to that which can be accommodated by the water supply estimated in the UWMP's. MM UTL-1 uses the City's Police Powers to ensure that future growth is firmly linked to existing and planned water supply. Although the projected "worst case" 2040 population projection used to evaluate potential environmental impacts exceeds the population projected in the UWMP, such impacts are less than significant because MM UTL ensures that growth cannot occur unless a reliable supply of water can be provided to support such growth.</p>
B3	<p>This comment indicates that: 1) the General Plan Update (GPU) must align itself with the current and proposed water supply planning documents (presumably UWMPs); 2) Current imported water supply (which is used to artificially replenish groundwater basins) will not meet the GPU's projected future water demand due to climate change and environmental constraints in the San Francisco Bay Delta; 3) It is the CVWD's opinion that the GPU's impact on sustainable groundwater supply is significant and that mitigation (MM ULT-1) is not adequate, and 4) Encourages closer consultation with CVWD and DWA to ensure consistency with the water supply planning documents for the Mission Creek sub-basin.</p> <p>The City does not agree with the assertion that that the GPU is not aligned with current and future water supply planning documents and would note that MM ULT-1 provides for strict alignment with UWMP's, since developments that exceeds what is identified for supply in 2040 under the most recent UWMP will not be approved.</p> <p>The current Department of Finance population estimate as of January 1, 2020 is 29,251 persons, while the 2015 MSWD, which serves approximately 98% of the population of the City and SOI, projected a year 2020 population of 34,287(The CVWD did not include specific information for the 2% of the population they serve). Since there currently is a short-term water supply surplus that could serve an additional 5,036 persons it is not likely that the estimated water demand for 2020 included in the current UWMP will be exceeded before the UWMP update is completed by June of 2021.</p> <p>In addition, the 2016 SCAG Demographics and Growth Forecast that, according to the commenter, will provide the basis for the 2020 updates to the UWMP, has an initial start year of 2012 and includes a 2020 population estimate of 39,200, exceeding the 2019 DOF estimate of 29,251 by nearly 9,949 persons. SCAG is also in the process of</p>

ID	Response to Comment Letter B- Coachella Valley Water District
	<p>preparing the 2020 update to the SCAG Demographics and Growth Forecast which is scheduled for review on May 7, 2020. The new SCAG forecast will likely be completed prior to or closely following the adoption of the updates to the UWMP's for the MSWD, CVWD, and DWA, which will create a further challenge in coordination of forecasts with the UWMP's and other documents related to water supply.</p> <p>Another illustration with respect to the predictive efficacy of population/demographics forecasting is provided by examining the forecast included in the current General Plan, which was adopted in the year 2000, with the historic population growth that has occurred in the City of Desert Hot Springs. The 2000 Desert Hot Springs General Plan estimates "the General Plan could add about 178,058 additional people to the City's population. When combined with the City's existing population of 15,398 residents, the City's maximum peak seasonal population could reach approximately 193,456." (Page III-15, <i>2000 Desert Hot Springs General Plan</i>). The total population envisioned in the 2000 General Plan is approximately 46% higher than the 136,402 persons projected for 2040 in the propose GPU. In fact, the population of the City during the roughly 20 years since the existing General Plan was adopted has only increased by 13,843 persons from 15,398 to 29,251: an annual average increase of 692 persons or approximately 4.5%.</p> <p>The two tables below show the population and housing growth that has occurred within the City since 1990 and also provides two growth projection scenarios. The Aggressive Growth Scenario shown in Table 1 is consistent with the projection included in the Draft EIR and is based on a 20-year time horizon. The Conservative Growth Scenario shown in Table 2 results in a growth rate roughly comparable to the rate of historic growth that has occurred since 1990 and is based on a 40-year time horizon. Both scenarios include somewhat accelerated growth rates in the first ten years in order to provide for compliance with State housing requirements. Both scenarios are also based on growth within City boundaries because historic information was not available for Sphere of Influence areas.</p>

ID	Response to Comment Letter B- Coachella Valley Water District																																																																					
	<p style="text-align: center;">Table 1: Desert Hot Springs City Housing Growth – Aggressive Growth Scenario (20-year timeframe)</p> <table> <tr> <th rowspan="2">Source/Growth</th><th rowspan="2">Year</th><th colspan="2">City (A)</th><th rowspan="2">Percent Growth</th><th rowspan="2">Notes and Observations</th></tr> <tr> <th>Population</th><th>Housing Units</th></tr> <tr> <td rowspan="7">Department of Finance Historic Housing Growth (B)</td><td>1990</td><td>11,668</td><td>5,494</td><td>--</td><td></td></tr> <tr> <td>1995</td><td>15,093</td><td>6,616</td><td>20.4%</td><td></td></tr> <tr> <td>2000</td><td>16,582</td><td>7,034</td><td>6.3%</td><td>2000 Recession</td></tr> <tr> <td>2005</td><td>20,294</td><td>8,501</td><td>20.9%</td><td></td></tr> <tr> <td>2010</td><td>25,938</td><td>10,095</td><td>18.8%</td><td>City Annexation (I-10 Area)</td></tr> <tr> <td>2015</td><td>28,315</td><td>11,485</td><td>13.8%</td><td>Growth Slowed as a Result of Great Recession</td></tr> <tr> <td>2019</td><td>29,390</td><td>11,562</td><td>0.7%</td><td></td></tr> <tr> <td rowspan="4">General Plan Build Out (Projections) – Aggressive Growth Scenario (C)</td><td>2024</td><td>43,879</td><td>17,262</td><td>49.3%</td><td>Growth to Meet State Housing Requirements</td></tr> <tr> <td>2030</td><td>58,368</td><td>22,962</td><td>33.0%</td><td></td></tr> <tr> <td>2035</td><td>72,857</td><td>28,662</td><td>24.8%</td><td></td></tr> <tr> <td>2040</td><td>88,476</td><td>34,808</td><td>21.4%</td><td>SCAG 2016 SCS/RTP2040: 21,900 Units;</td></tr> </table> <p>Note: (A) City of Desert Hot Springs (excludes Sphere of Influence) Sources: (B) Department of Finance Demographic Research Unit, Population and Housing Estimates for Cities, 1990 to 2019. (C) MIG General Plan Projections</p>					Source/Growth	Year	City (A)		Percent Growth	Notes and Observations	Population	Housing Units	Department of Finance Historic Housing Growth (B)	1990	11,668	5,494	--		1995	15,093	6,616	20.4%		2000	16,582	7,034	6.3%	2000 Recession	2005	20,294	8,501	20.9%		2010	25,938	10,095	18.8%	City Annexation (I-10 Area)	2015	28,315	11,485	13.8%	Growth Slowed as a Result of Great Recession	2019	29,390	11,562	0.7%		General Plan Build Out (Projections) – Aggressive Growth Scenario (C)	2024	43,879	17,262	49.3%	Growth to Meet State Housing Requirements	2030	58,368	22,962	33.0%		2035	72,857	28,662	24.8%		2040	88,476	34,808	21.4%	SCAG 2016 SCS/RTP2040: 21,900 Units;
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ID	Response to Comment Letter B- Coachella Valley Water District				
	Table 2: Desert Hot Springs City Housing Growth – Conservative Growth Scenario (40-year timeframe)				
	Source/Growth	Year	City (A)		Percent Growth
			Population	Housing Units	
	Department of Finance Historic Housing Growth (B)	1990	11,668	5,494	--
		1995	15,093	6,616	20.4%
		2000	16,582	7,034	6.3%
		2005	20,294	8,501	20.9%
		2010	25,938	10,095	18.8%
		2015	28,315	11,485	13.8%
		2019	29,390	11,562	0.7%
	General Plan Build Out (Projections) - Conservative (C)	2024	38,439	15,122	30.8%
		2030	47,489	18,682	23.5%
		2035	54,319	21,369	14.4%
		2040	61,149	24,056	12.6%
		2045	67,979	26,743	11.2%
		2050	74,810	29,430	10.0%
		2055	81,640	32,117	9.1%
		2060	88,476	34,808	8.4%
	Notes: (A) City of Desert Hot Springs (excludes Sphere of Influence) Sources: (B) Department of Finance Demographic Research Unit, Population and Housing Estimates for Cities, 1990 to 2019. (C) MIG General Plan Projections				
	<p>As illustrated by the review of the difference between the actual and projected population growth under the 2000 Desert Hot Springs General Plan growth projections and forecasts have limited predictive accuracy, especially in the long term. The “aggressive” growth projections were used in the Draft EIR so that worst-case conditions could be evaluated in order to avoid criticism that potential environmental impacts that <u>could</u> occur are not fully and thoroughly analyzed. While the actual growth that will occur in the future cannot be known with certainty, implementation of MM UTL-1 ensures that growth and water supply will remain in balance.</p> <p>Since MM UTL-1 provides the vehicle to ensure that water supply and demand from future growth are kept in balance, the City does not agree with the CVWD opinion that MM UTL-1 is not adequate to address the potentially significant impacts on sustainable groundwater supply. The simple fact is that MM UTL-1 as written will directly and closely link growth levels to water supply: if adequate water supply is not available, new development cannot occur. However, in order to further ensure a reliable water supply, the language in MM UTL-1 has been revised and enhanced to, in collaboration with water suppliers, better monitor and plan to address the potential for shortages in the future.</p>				

ID	Response to Comment Letter B- Coachella Valley Water District
	<p>Provided below is revised language for Mitigation Measure UTL-1</p> <p>Mitigation Measure UTL-1: Developments under the <u>General Plan Update (GPU)</u>, will not be approved if they increase water use in excess of what is identified for supply in 2040 under the most recent <u>applicable Urban Water Management Plan (UWMP)</u>, <u>including the long term horizon year and interim (5-year) short-term supply estimates in the UWMP.</u></p> <p><u>In order to ensure that water demand from new development is balanced with water supply, a written report will be submitted annually by the City to the Mission Springs Water District and the Coachella Valley Water District identifying building permits issued and discretionary land use approvals that were approved during the past calendar year. The Mission Springs Water District and the Coachella Valley Water District may provide the estimated increase in water use generated by such permits/approvals. by such permits/approvals, and shall also identify concerns and issues regarding providing an adequate supply of water for such permits/approvals.</u></p> <p>In their comment letter CVWD encouraged closer consultation by the City with CVWD and DWA. In response, several revisions and policy additions have been made to the General Plan Update to more fully address water supply, water agency coordination, consultation and collaboration, and greater water agency involvement in the review of development projects. These new and revised policies are included in Section 3 of this document – Errata and Revisions.</p>

COMMENT LETTER C – DESERT WATER AGENCY (KRAUSE)

Joseph K. Stuart, President
Kristin Bloomer, Vice President
Craig A. Ewing, Secretary-Treasurer
Patricia G. Oygur, Director
James Cioffi, Director



Mark S. Krause, General Manager-Chief Engineer
Best, Best & Krieger, General Counsel
Krieger & Stewart, Consulting Engineers

April 1, 2020

Project: Draft Environmental Impact Report (DEIR) for the City of Desert Hot Springs
Attn: Rebecca Deming, Community Development Director
Community Development Department
65950 Pierson Boulevard
Desert Hot Springs, CA 92240

RE: Desert Water Agency Comments on the Draft Environmental Impact Report for the Proposed General Plan Update for the City of Desert Hot Springs

Dear Ms Deming:

Desert Water Agency (DWA) is an independent special district of the State of California created by a special act of the California Legislature in 1961 as set forth in the California Water Code Appendix (Chapter 100, West's Edition), known as "The Desert Water Agency Law." DWA was created for the purpose of bringing imported water to the western Coachella Valley. It is one of only 29 State Water Contractors in California which has a right to imported water from the State Water Project.

Pursuant to California Water Code sections 10723(c)(3) and 10723.8 of the Sustainable Groundwater Management Act (SGMA), DWA also serves as the Groundwater Sustainability Agency (GSA) for the portions of the Indio Sub-Basin (DWR Sub-Basin No. 7-21.0 I), Mission Creek Sub-Basin (DWR Sub-Basin No. 7-21.02) and San Geronio Pass Sub-Basin (DWR Sub-Basin 7-2 1.04) shown on Figure 2 (attached).

DWA is one of the statutorily named local agencies given the exclusive power to be the GSA within its boundaries. In addition to the groundwater management responsibilities given to DWA under SGMA, DWA also has groundwater management powers under its enabling legislation and other applicable law across a large portion of the northwestern Coachella Valley. To this end, DWA manages one groundwater replenishment program in the Indio Sub-Basin and another groundwater replenishment program in the Mission Creek Sub-Basin. DWA relies on these replenishment programs in the Indio and Mission Creek Sub-Basins to help meet the water related needs of customers within its boundaries.

DWA and Coachella Valley Water District (CVWD) completed construction of the Whitewater River Replenishment Facility in 1973 and the Mission Creek Replenishment Facility in 2002. Recharge activities commenced within each respective sub-basin upon completion of the facilities.

DWA and CVWD together are responsible for ensuring the sustainability of the groundwater supply within the Mission Creek Sub-Basin, and DWA is responsible for the sustainability of the Garnet Hill sub-area of the Indio Sub-Basin, all serving the Mission Springs Water District. Alternative Groundwater Sustainability Plans (GSPs) for these areas were approved by the California Department of Water Resources. These Alternative GSPs are currently in the process of being updated and the population projections and water demands are based on the 2016 Southern California Association of Governments (SCAG) Demographics and Growth Forecast.

Under the SGMA, state policy on water supplies and land use decision making was amended to provide that there be close coordination and consultation between California's water supply or management agencies and California's land use approval agencies to ensure that proper water supply planning and management occurs to accommodate projects that will result in increased demand on water supplies or will impact water resource management. More specifically, before the adoption or any substantial amendment of a city's or county's general plan, the

C-1



04/01/20

Page 2

City of DHS DEIR Comment

planning agency must review and consider the adoption of, or update to, a groundwater sustainability plan or groundwater management plan (Govt. Code § 65352). Further, a city or county must now refer the proposed adoption or substantial amendment of a general plan to any affected GSA (Govt. Code § 65352). In response, the GSA must provide the land use agency with the current version of its GSP, other water management documents, and any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies. However, nothing in the SGMA or a GSP shall be interpreted as superseding the land use authority of cities and counties, including a city or county general plan, within the basin (CWC § 10726.8).

C-1
Cont.

DWA provides the following comments regarding the DEIR for the proposed General Plan Update for the City of Desert Hot Spring. The EIR states that the MSWD and CVWD's existing urban water management plans (UWMP's) do not take into account the proposed development associated with implementation of the GPU and further state that Mitigation Measure UTL-1 does not allow approval of new development associated with the implementation of the GPU if they increase water use in excess of what is identified for supply in 2040 under the most recent UWMP's. This document does not provide an explanation of how water demand will be controlled to insure it does not exceed the thresholds provided in the 2015 UWMP's. Furthermore, the 2015 UWMP's are being updated and are basing their analysis on a more conservative population projection provided in the 2016 SCAG Demographics and Growth Forecast, which is not consistent with the City's proposed General Plan Update.

C-2

Consultation with DWA and CVWD was not adequate in the preparation of this document. The Desert Hot Springs General Plan Update must align itself with the current and proposed water supply planning documents for this area. The current General Plan Update does not align with the population projections being used as the basis for future water supply planning. The current imported water supply is significantly inadequate to meet projected future water demands due to climate change and environmental constraints in the San Francisco Bay Delta. DWA and CVWD are actively pursuing participation in the State Water Project Delta Conveyance Facility and Sites Reservoir projects to provide increased future water supply to meet future water supply demand projections. However, both of these projects have not yet obtained approvals for construction. It is DWA's opinion that the impact of the General Plan Update on sustainable groundwater supply is significant.

Sincerely,

Mark S. Krause
General Manager-Chief Engineer

Attachment: 1 (Figure 2)

ID	Response to Comment Letter C- Desert Water Agency
C-1	<p>This comment summarizes the Desert Water Agency (DWA) roles and responsibilities with respect to water supply and groundwater management and highlights the District's major groundwater replenishment facilities and programs.</p> <p>This comment also indicates an Alternative to a Groundwater Sustainability Plan for the Mission Creek and Desert Hot Springs sub-basins was approved by the California Department of Water Resources (DWR). DWA goes on to further explain that the Alternative Plan is currently in the process of being updated, as required by DWR, and the population projection and water demands for the sub-basins will be based on the 2016 Southern California Association of Governments (SCAG) Demographics and Growth Forecast.</p> <p>This comment also describes the policy requirements and procedures of the State of California Sustainable Groundwater Management Act (SGMA).</p> <p>Although this comment provides useful background it does not actually provide comment on the Draft EIR and therefore no further response is necessary.</p>
C-2	<p>This comment is similar to comments made in the letter received from the Coachella Valley Water District included in Comment Letter B. Please see responses to Comment B-2 and B-3.</p>

COMMENT LETTER D – LUCKER ANDERSON (LUCKER)



April 1, 2020

Rebecca Deming
Community Development Director
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, CA 92240
rdeming@cityofdhs.org

re: Comments regarding the proposed Desert Hot Springs General Plan Update and Draft EIR

Ms Deming:

On the behalf of Wintec Energy, D & E Land Company, D & F Land Company, Wintec Properties, LLC, Windworks LLC, and SGWA III, we have serious concerns and issues with the draft 2020 Desert Hot Springs General Plan Update.

As proposed, the General Plan update includes great swaths of Renewable Energy Land (REL), in the County of Riverside and within Desert Hot Springs Sphere of Influence, located west of Indian Avenue, east of Highway 62, south of Pierson Boulevard and bordered on the south by the Palm Springs City Limits or Interstate 10. Desert Hot Springs wishes to include the REL in its Industrial Zone. However, Desert Hot Springs Industrial Zone does not allow solar, wind energy, natural gas or hydrogen based energy production or battery storage uses (REL uses).

The draft General Plan Update, as it is written, will doom billions of dollars of assets in this region when the CUPs for these essential energy production facilities expire. REL land is currently Zoned W-E or M-2 and covered by the Riverside County Wind Energy Overlay for a very important reason. This region is one of the best REL sites in North America and is superior for companion and supporting energy projects as well. The proposed General Plan Update, as drafted, is an existential threat to wind energy and to gas-powered energy plants that will ultimately transition to being hydrogen fueled energy production facilities.

Further, the Draft Environmental Impact Report is totally defective to the extent it does not consider the impact on climate change, wildlife and human health caused by a land use policy which over time will eliminate these essential renewable energy facilities. The General Plan Update ignores many of the City's key Policies, including:

D-1

D-2

D-3

Los Angeles
10401 Wilshire Boulevard, Ste. 1017
Los Angeles, California 90024
(310) 489 1605
CLucker@LuckerAnderson.com

Palm Springs
1801 E. Tahquitz Canyon Way, Ste. 101
Palm Springs, California 92262
(760) 792 4317
MAnderson@LuckerAnderson.com

- Policy OS-1.2 Protect threatened, endangered or other special status plant and animal species.
- Policy OS-2.1 Reduce air pollution.
- Policy OS-2.2 Comply with State Laws addressing climate change.
- Policy OS-2.4 Air quality goals.
- Policy OS-4.5 Encourage solar energy farms.
- Policy OS-4.9 Assure that no land use designation change hinders the City's ability to allow and facilitate windmill development.

**D-3
Cont.**

The solution for this critical error in the draft General Plan Update and EIR is for the City of Desert Hot Springs to adopt all Riverside County land use policies with respect to the REL in their Industrial Zones.

Make no mistake, stakeholders in the renewable energy industry look forward to working with Desert Hot Springs in adopting a workable and comprehensive updated General Plan. However, as drafted, the Desert Hot Springs 2020 Draft General Plan Update is untenable and a threat to the future of our assets and the future of renewable energy production in the region.

D-4

Thank you for your consideration.



Chris A. Luckner, for:
Wintec Energy
D & E Land Company
D & F Land Company
Wintec Properties LLC
Windworks LLC
SGWA III

ID	Response to Comment Letter D- Lucker Anderson
D-1	<p>This introductory comment identifies the clients being represented by Lucker Anderson and discusses provisions in the proposed General Plan Update (GPU) that would place Renewable Energy Land in the Industrial designation, which would limit certain types of renewable and non-renewable energy uses. This comment expresses concerns over provisions in the GPU but does not raise any issues related to the EIR. Therefore, no additional response is necessary.</p> <p>The planning and land use issues raised in this comment, which do not pertain to the Draft EIR, will be addressed through deliberations on the GPU during the public hearing process.</p>
D-2	<p>This comment expresses concerns over provisions in the GPU but does not raise any issues related to the EIR. Therefore, no additional response is necessary.</p> <p>The planning and land use issues raised in this comment, which do not pertain to the Draft EIR, will be addressed through deliberations on the GPU during the public hearing process.</p>
D-3	<p>Except for the first sentence of this comment it also addresses issues related to the GPU and not the Draft EIR.</p> <p>The first sentence of this comment asserts that the Draft EIR is defective because it does not consider the impacts of land use policy that will purportedly, over time, eliminate renewable energy facilities which would, in turn, impact climate change, wildlife, and human health. However, this comment is not substantiated by information that explains the linkage of the referenced policy to specific impacts. The potential impacts of Climate Change are addressed in Section 4.8 (Greenhouse Gas Emissions) of the Draft EIR, and no substantiation or evidence has been provided by the commenter that the potential loss of Renewable Energy Land (REL) would result in impacts from shortages of renewable energy. Potential impacts on wildlife of the GPU are addressed in Section 4.4 (Biological Resources). Impacts related to human health and safety are addressed through the Draft EIR including Sections 4.3 (Air Quality), 4.7 (Geology and Soils), 4.9 (Hazards and Hazardous Materials), 4.10 (Hydrology and Water Quality, 4.13 (Noise), and 4.20 (Wildfire).</p> <p>Also, as discussed on page 4.6-14 of the Draft EIR, the Planning Area is within the San Gorgonio Wind Resource Area but is not identified as a “Development Focus Area” or “Variance Process Lands” in the Desert Renewable Energy Conservation Plan. That is because there are other, more suitable areas for REL in the region.</p>
D-4	<p>This comment expresses concerns over provisions in the GPU but does not raise any issues related to the Draft EIR. Therefore, no additional response is necessary.</p> <p>The planning and land use issues raised in this comment, which do not pertain to the Draft EIR, will be addressed through deliberations on the GPU during the public hearing process.</p>

COMMENT LETTER E – RIVERSIDE COUNTY FLOOD CONTROL DISTRICT (YANG)

Rebecca Deming | Community Development Director



Office: (760) 329-6411 ext. 240 Fax: (760) 288-0639

City of Desert Hot Springs

65950 Pierson Boulevard, Desert Hot Springs, CA 92240

www.cityofdhs.org

From: Yang, Han <hyang@RIVCO.ORG>
Sent: Thursday, March 26, 2020 12:16 PM
To: Rebecca Deming <rdeming@cityofdhs.org>
Subject: Question: NOA_DEIR for the City General Plan Update

Hello Rebecca,

The District received the review request for the DEIR last week, please see the attached NOA.
Since this general plan update involves District's DHS Master Drainage Plan (MDP), I reviewed the drainage portion
It seems there are some information in the DEIR doesn't match District's MDP report that was prepared in 2015.
Currently the updating of the MDP is on hold indefinitely.
Do you happen to know where and when the MDP information in the DEIR was obtained?

E-1

Thank you,

Han Yang | Development Review

ID	Response to Comment Letter E- Riverside County Flood Control District
E-1	Information was included on page 4.10-6 of the Hydrology and Water Quality Section of the Draft EIR (Section 4.10) that was incorrectly taken from a draft update of the West Desert Hot Springs Master Drainage Plan (MDP) that was never approved. Clarifying text changes are proposed and are included in Section 3 – Errata and Revisions – of this document.



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

April 1, 2020

Rebecca Demming
Desert Hot Springs, City of
65950 Pierson Boulevard
Desert Hot Springs, CA 92240

Subject: Desert Hot Springs General Plan Update and Zoning Amendment
SCH#: 2019080101

Dear Rebecca Demming:

The State Clearinghouse submitted the above named EIR to selected state agencies for review. The review period closed on 3/30/2020, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act, please visit: <https://ceqanet.opr.ca.gov/2019080101/3> for full details about your project.

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

Sincerely,

Scott Morgan
Director, State Clearinghouse

F-1

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 state.clearinghouse@opr.ca.gov www.opr.ca.gov

ID	Response to Comment Letter F- California Office of Planning and Research State Clearinghouse
F-1	This comment letter from the State Clearinghouse indicates that no comment letters on the Draft EIR were received from any State agencies. This letter does not include any comments on the Draft EIR, and no further response is necessary.



Patricia Romo, P.E.
Director of Transportation

COUNTY OF RIVERSIDE
TRANSPORTATION AND
LAND MANAGEMENT AGENCY

Transportation Department

Mojahed Salama, P.E.
Deputy for Transportation/Capital Projects
Richard Lantis, P.L.S.
Deputy for Transportation/Planning and
Development

April 8, 2020

City of Desert Hot Springs
Community Development Director
65950 Pierson Blvd.
Desert Hot Springs, CA 92240
Attn: Rebecca Deming, Community Development Director

**RE: Notice of Availability (NOA) for Draft Environmental Impact Report (DEIR) for the
City of Desert Hot Springs General Plan Update Draft EIR.**

Dear Ms. Deming:

Thank you for the opportunity to comment for the Notice of Availability (NOA) for Draft Environmental Impact Report (DEIR) for the City of Desert Hot Springs General Plan Update Draft (EIR).

Based on a comparison between the County's General Plan Circulation Element and the City of Desert Hot Springs General Plan Update, a few inconsistencies arise between the County and City Circulation Elements that are related to roadway widths and/or number of lanes at a number of locations at the City/County boundary and within the City's Sphere of Influence.

The City Circulation Element classifies roadways with higher and lower designations than their respective counterparts on the County Circulation Element.

The Riverside County Transportation Department (County) requests the City to coordinate changes to its Circulation Element with County Transportation and Planning Departments to address inter-jurisdictional classification and transitions.

G-1

4080 Lemon Street, 8th Floor · Riverside, CA 92501 · (951) 955-6740
P.O. Box 1090 · Riverside, CA 92502-1090 · FAX (951) 955-3198



Patricia Romo, P.E.
Director of Transportation

COUNTY OF RIVERSIDE
TRANSPORTATION AND
LAND MANAGEMENT AGENCY

Transportation Department

Mojahed Salama, P.E.
Deputy for Transportation/Capital Projects
Richard Lantis, P.L.S.
Deputy for Transportation/Planning and
Development

Thank you again for the opportunity to review the DEIR. Please contact me at (951) 955-2016 with questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Williams'.

Russell Williams
Development Review Manager

RUW: KKT/TT

cc: Juan C. Perez, Director of Transportation and Land Management
Patricia Romo, Director of Transportation
Richard Lantis, Deputy Director of Transportation

4080 Lemon Street, 8th Floor · Riverside, CA 92501 · (951) 955-6740
P.O. Box 1090 · Riverside, CA 92502-1090 · FAX (951) 955-3198

ID	Response to Comment Letter G- Riverside County Transportation Department
G-1	<p>This comment letter notes that there are some inconsistencies between County and City Circulation Elements with respect to roadway widths and/or number of lanes, and further requests the City to coordinate changes to its Circulation Element with the County Transportation and Planning Department.</p> <p>This letter does not make any comments with respect to the adequacy of the Draft EIR and, therefore, no additional response related to the Draft EIR is necessary. However, the sizes needed to accommodate future traffic but will be monitored over time and adjusted as needed.</p>

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-012-2019-001

March 24, 2020

[VIA EMAIL TO: redeming@cityofdhs.org]
City of Desert Hot Springs
Ms. Rebecca Deming
65-950 Pierson Blvd.
Desert Hot Springs, California 92240

Re: City of Desert Hot Springs General Plan Update

Dear Ms. Rebecca Deming,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the General Plan Update project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our AB52 consultation efforts.

*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our consultation efforts under SB 18.

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

Cordially,

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

H-1

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

ID	Response to Comment Letter H- Agua Caliente Band of Cahuilla Indians
H-1	This comment letter was received during the Draft EIR public review period indicating that the SB 18 and AB 52 tribal consultation processes have been concluded to their satisfaction. Although this letter does not explicitly address issues pertaining to the Draft EIR it is included as part of the administrative record. No further response is necessary.

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3.0 – ERRATA

This section identifies revisions to the Desert Hot Springs General Plan Update and Zoning Amendment Draft EIR to incorporate clarifications prepared in response to comments on the General Plan Update Draft EIR or minor errors corrected through subsequent review. Additions are shown in underline. Deletions are shown in ~~strike through~~.

None of the revisions below represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in the Draft EIR.

Draft EIR Volume I – Section 4.4 (Biological Services)

The corrections and revisions made to this section of the EIR are made in response to the Comment letter received from the Coachella Valley Association of Governments (CVAG) regarding the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP)

The following revisions are made to page 4.4-30, third paragraph:

Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP): The CVMSHCP received a California state permit in September 2008 and a federal permit in October 2008. A Major Amendment to the Plan was completed on August 24, 2016 to include the City of Desert Hot Springs and Mission Springs Water District. The Plan identifies the most valuable resource protection areas in and around the Planning Area and establishes a permanent habitat reserve and perpetual land management program while accommodating adjacent urban development and recreational uses. Without the CVMSHCP, individual ‘take permits’ from the USFWS would be required for individual developments that may impact sensitive species or sensitive habitat. Implementation of the CVMSHCP’s objectives and provisions satisfies the legal requirements for the issuance of ‘take permits’ removing the need for individual permits in most cases.

The following revisions are made to page 4.4-30, fourth paragraph, fifth sentence:

Individual projects within a conservation area receive a determination of consistency with the CVMSHCP through Joint Project Review (JPR) with the Coachella Valley ~~Association of Governments~~Conservation Commission (CVAGCVCC).

The following revisions are made to page 4.4-31, adding the following after the fourth paragraph:

Riverside County Policy A-61

The City of Desert Hot Springs has a Memorandum of Understanding (MOU) with Riverside County to implement County Policy A-61 in Conservation Areas within the I-10 Annexation Area. This policy establishes the Riverside County allocation of take policy for the CVMSHCP.

The following revisions are made to page 4.4-31, fifth paragraph:

The Riverside County General Plan: The plan is applicable to the Sphere of Influence portions of the Planning Area with Policy 61 applying to the I-10 Annexation Area, includes policies in its Multipurpose Open Space Element designed to preserve natural resources for both ecological and recreational purposes. These policies are designed to implement the provisions of

CVMSHCPs throughout the county, including the CVMSHCP. Those policies relating to biological resources are as listed follows:

The following revisions are made to page 4.4-33, fourth paragraph:

Multiple Species Habitat Conservation Plans

OS-17.1 Enforce the provisions of applicable MSHCP's and implement related Riverside County policies when conducting review of possible legislative actions such as general plan amendments, zoning ordinance amendments, etc. including policies regarding the handling of private and public stand alone applications for general plan amendments, lot line adjustments and zoning ordinance amendments that are not accompanied by, or associated with, an application to subdivide or other land use development application. ~~Every stand-alone application shall require an initial Habitat Evaluation and Acquisition Negotiation Process (HANS) assessment and such assessment shall be made by the Planning Department's Environmental Programs Division. Habitat assessment and species-specific focused surveys shall not be required as part of this initial HANS assessment for stand-alone applications but will be required when a development proposal or land use application to subsequently subdivide, grade or build on the property is submitted to the County.~~

The following revisions are made to Mitigation Measure BIO-4 on page 4.4-38, first full paragraph:

BIO-4: Habitat Revegetation, Restoration, and/or Conservation: If riparian habitat or other sensitive natural communities are impacted by project-related activities, a habitat restoration and revegetation plan will be developed. Habitat restoration and revegetation plans will include, at a minimum: a) the location of restoration sites and assessment of appropriate reference sites; b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

For Projects with CVMSHCP Conservation Areas, habitat revegetation, restoration, and conservation will be vetted via coordination with the appropriate resource agencies and the Coachella Valley Conservation Commission (CVCC) through the ~~Habitat Evaluation and Acquisition Negotiation Strategy (HANS)~~ and Joint Project Review (JPR) processes to ensure the Project aligns with the goals and policies of the CVMSHCP ~~(section 6.6.1.1 and 6.6.1.2).~~

Draft EIR Volume I – Section 4.10 (Hydrology and Water Quality)

The following revisions are made to page 4.10-6, starting with the first paragraph:

Text. The District and City initiated preparation of the West Desert Hot Springs Master Drainage Plan (WDHS MDP) to effectively manage flood hazards by providing storm water management/drainage conveyance. The WDHS MDP includes: (1) regional flood-control improvements for Morongo Wash and Mission Creek; (2) local drainage facilities throughout the planning area; and (3) revised regional flood hazard mapping and floodplain management measures.

The WDHS MDP includes:

~~(1) regional flood control improvements including:~~

- ~~a. 10.6 miles of concrete slope lined earthen levee systems for Morongo Wash and Mission Creek;~~
- ~~b. Removal of 2,829 acres of existing mapped flood hazards~~
- ~~c. New all-weather bridges~~
- ~~d. Floodplain management for Garnet Wash~~
- ~~e. Three groundwater recharge basins~~
- ~~f. Four urban water quality treatment basins~~

~~(2) local drainage facilities including:~~

- ~~a. 37 different drainage systems,~~
- ~~b. approximately 50 miles of local drainage facilities~~
- ~~c. nine detention basins totaling 126 acres.~~

Draft EIR Volume I – Section 4.5 (Cultural Resources)

The follow clarifying revision were requested by the Agua Caliente Band of Cahuilla Indians during the SB 18 and AB 52 tribal consultation.

The following revision is made to Page 4.5-1, second paragraph, last sentence.

All of these natural resources were utilized and managed by the Cahuilla.

The following revision is made to Page 4.5-1, third paragraph, first sentence.

The Coachella Valley, including the Planning Area, has been the home to the Cahuilla Indians ~~for several hundred years~~ since time immemorial.

The following revision is made to Page 4.5-1, by adding the following sentence in the fourth paragraph, after the seventh sentence.

In 1876, President Grant set aside reservations for Tribes across the land, including the Agua Caliente Reservation.

Draft EIR Volume I – Section 4.18 (Tribal Cultural Resources)

The follow clarifying revision were requested by the Agua Caliente Band of Cahuilla Indians during the SB 18 and AB 52 tribal consultation.

The following revisions are made to Page 4.18-4, first paragraph, first sentence.

At least two tribal cultural resources have been identified within the Planning Area by the Agua Caliente Band of Cahuilla Indians. Pursuant to Section 15130 (b)(1) there are no proposed projects within the Planning Area that would have a cumulative impact on these two identified tribal cultural resources.

Draft EIR Volume I – Section 4.19 (Utilities and Service Systems)

The following revisions are made to Mitigation Measure UTL-1 on page 4.19-15:

Mitigation Measure UTL-1: Developments under the General Plan Update (GPU), will not be approved if they increase water use in excess of what is identified for supply in 2040 under the most recent applicable Urban Water Management Plan (UWMP), including the long term horizon year and interim (5-year) short-term supply estimates in the UWMP.

In order to ensure that water demand from new development is balanced with water supply, a written report will be submitted annually by the City to the Mission Springs Water District and the Coachella Valley Water District identifying building permits issued and discretionary land use approvals that were approved during the past calendar year. The Mission Springs Water District and the Coachella Valley Water District may provide the estimated increase in water use generated by such permits/approvals and shall also identify concerns and issues regarding providing an adequate supply of water for such permits/approvals.

The following revisions are made to page 4.19-12, starting with the second paragraph:

Desert Hot Springs General Plan: The Mobility and Infrastructure, Land Use and Community Design, Open Space and Natural Resource, and Safety and Noise Elements of the General Plan Update addresses utilities. Several policies are identified in these Elements that address issues related to utilities and service systems and ~~to maintain and enhance the visual character of the Planning Area as well as~~ reduce potential impacts related to implementation of the GPU:

- Policy LU-1.1: Balanced Growth
- Policy LU-2.9: Residential Master Plan Communities.
- Policy LU-3.11: Efficiency in Providing City Services and Infrastructure.
- Policy LU-9.1: Public Services.
- Policy LU-13.11: Natural Landforms.
- Policy MI-5.5: Green Streets.
- Policy MI-11.1: Infrastructure Service.
- Policy MI-11.5: Development Impacts.
- Policy MI-11.10: Water Quality
- Policy MI-11.11: Reduce Energy.
- Policy MI-11.13: Infrastructure Planning.
- Policy MI-11.14: Wastewater Services Consultation.
- Policy MI-11.15: Wastewater.
- Policy MI-11.16: Septic Tank Removal.
- Policy MI-11.17: Water Treatment and Delivery Infrastructure.
- Policy MI-11.18: Long-Range Water Supply Coordination.
- Policy OS-3.1: Water Conservation.
- Policy OS-3.2: Water Conservation Incentives.

- Policy OS-3.5: Water District Consultation.
- Policy OS-3.6: Landscaping.
- Policy OS-3.7: Gray Water.
- Policy OS-3.8: Recycled Water.
- Policy OS-3.9: Groundwater Contamination.
- Policy OS-3.10: Site Drainage.
- Policy OS-3.11: Reliable Water Supply
- Policy OS-3.12: Future Water Supply Constraints.
- Policy OS-3.13: Water Supply/Projected Growth Balance.
- Policy OS-5.1: Recycling Services.
- Policy OS-5.2: Waste Reduction.
- Policy OS-7.3: Drought-Tolerant Landscaping.
- Policy SN-6.6: Utilities and Vital Service Providers.
- Policy SN-7.1: Flood Control Improvements.
- Policy SN-7.3: Coordination.
- Policy SN-7.4: Master Drainage Plan
- Policy SN-7.7: Hydrological Studies

The following additions and revisions are made to Table 4.0-1 General Plan Policies to Avoid or Reduce Environmental Impacts - starting on page 4.0-3:

Mobility and Infrastructure Element

Policy MI-11.10: ~~Water Supply~~ Quality. Protect the quality and supply of the City's water sources.

Policy MI-11.17: Water Treatment and Delivery Infrastructure. Use a coordinated review process with local water supply agencies to assess the rate of growth in the City and the near- and mid-term impacts of growth on water treatment and delivery infrastructure. Link the City's ability to approve projects and issue building permits to the agencies' capacity to deliver services based on its capital improvement programs and fee structures.

Policy MI-11.18: Long-Range Water Supply Coordination. Coordinate with water agencies during the preparation of long-range water supply plans, including Urban Water Management Plans and updates to the Sustainable Groundwater Management Act (SGMA) groundwater sustainability plans.

Open Space, Natural, and Cultural Resources Element

Policy OS-3.2: Water Conservation Incentives. Encourage residents and businesses to practice water conservation through incentive programs and where necessary, develop/support programs that penalize wasteful practices.

Policy OS-3.11: Reliable Water Supply. Consult with local water agencies to plan for adequate supplies of domestic water facilities commensurate with historical growth, anticipated growth, and planned long-term growth.

Policy OS-3.12: Future Water Supply Constraints. Recognize any immediate water supply constraints and consider long-term availability of water in the approval of development projects.

Policy OS-3.13: Water Supply/Projected Growth Balance. Use a coordinated review process with local water resource management agencies to assess the rate of growth in the City and the near- and mid-term demands on projected available water resources and consistency with water management plans and SGMA groundwater sustainability plans. Link the City's ability to approve projects and issue building permits to the water resource management agencies' ability to manage resources consistent with approved water management plans, SGMA groundwater sustainability plans, and Urban Water Management Plans.

4.0 – PUBLIC CIRCULATION

Availability and Distribution

The Notice of Preparation (NOP) was submitted on August 5, 2019 to the State Clearinghouse for distribution to State agencies on the standard notification list maintained by the City of Desert Hot Springs Community Development Department. The Notice of Availability (NOA) was distributed to all agencies on the standard notification list via certified mail (see below) and was posted to the County of Riverside Registrar-Recorder/County Clerk and published with the *Desert Star Weekly* beginning on February 14, 2020 and ending on April 1, 2020. The NOA was sent to government agencies, neighboring cities, and non-governmental interested parties. The NOA and Notice of Completion (NOC) were both mailed to the State Clearinghouse for distribution to State agencies. Notification was also submitted to local Native American Tribal Governments in accordance with CEQA statutes, guidelines, and Assembly Bill (AB) 52.

Notice of Preparation Distribution/Consultation



NOTICE OF PREPARATION

DATE: August 5, 2019

TO: Responsible Agencies, Trustee Agencies, and Interested Parties

LEAD AGENCY: City of Desert Hot Springs
Contact: Rebecca Deming
65950 Pierson Boulevard
Desert Hot Springs, CA. 92240

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the City of Desert Hot Springs General Plan Update¹

NOTICE OF PREPARATION REVIEW PERIOD: August 6 to September 5, 2019

The City of Desert Hot Springs (City) will be the Lead Agency and will prepare a Draft Environmental Impact Report (DEIR) pursuant to the California Environmental Quality Act (CEQA) for the proposed General Plan Update (described below). We are interested in your agency's views as to the appropriate scope and content of the DEIR's environmental information pertaining to your agency's statutory responsibilities related to the project. We will need the name of a contact person for your agency. For interested individuals, we would like to be informed of environmental topics of interest to you regarding the project.

The City has already determined that an EIR is required for the proposed General Plan Update and, and as permitted by CEQA Guidelines Section 15060(d) (Preliminary Review), the City will not prepare an Initial Study for the project.

The proposed project, its location, and its potential environmental effects are described below. The City welcomes public input during the Notice of Preparation (NOP) review period. Due to the time limits mandated by the CEQA Guidelines, your response must be sent ***not later than 30 days after your receipt of this notice***. If no response or request for additional time is received by the end of the review period, the City may presume that you have no response.

¹Per Title 14, California Code of Regulations, California Environmental Quality Act (CEQA) Guidelines, Sections 15082(a), 15103, and 15375

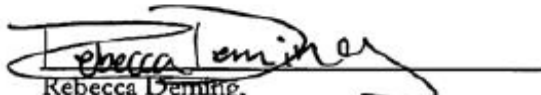
Notice of Preparation Mailing List

Flinn Fagg, AICP Director of Planning Services Planning Department City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, CA 92262	Robert Rodriguez Director of Planning/Building Planning Department City of Cathedral City 68700 Avenida Lalo Guerrero Cathedral City, CA 92234	Juan C. Perez, TLMA Director County of Riverside 4080 Lemon St., 14th Floor P.O. Box 1605 Riverside, CA 92502-1605
Tom Kirk, Executive Director Coachella Valley Association of Governments 73-710 Fred Waring Drive, Ste #200 Palm Desert, CA 92260	Jeff Brandt Senior Environmental Scientist California Department of Fish and Game Inland Deserts Region (Region 6) 3602 Inland Empire Blvd, Suite C-220 Ontario, CA 91764	Victoria Martin, Tribal Secretary Augustine Band of Cahuilla Indians PO Box 846 84-481 Avenue 54 Coachella, CA 92236
Anthony Madrigal, Jr. Twenty-Nine Palms Band of Mission Indians Director of Tribal Historic Preservation 46-200 Harrison Place Coachella, CA 92236	Ping Change Manager, Compliance Monitoring SCAG 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017	Lijin Sun, J.D. Program Supervisor, CEQA IGR South Coast Air Quality Management District 21865 East Copley Drive Diamond Bar, CA 91765-4178
Pablo Ramirez, Esq., Housing Practice Group Director 1040 Iowa Avenue Suite 109 Riverside, CA 92507 United States	Steve Bigley, Director Coachella Valley Water District 51501 Tyler Street P.O. Box 1058 Coachella, CA 92236	Danny Friend Director of Engineering and Operations Mission Springs Water District 66575 Second Street Desert Hot Springs, CA 92240
Rick Wade, General Manager Desert Valley Disposal Inc. 4690 East Mesquite Avenue Palm Springs, CA 92264	Rose Mayes, Executive Director Fair Housing Council of Riverside County 655 N. Palm Canyon, Suite 202 Palm Springs, CA 92263	Jim R. Karpiak, Executive Director Coachella Valley Mountains Conservancy 73-710 Fred Waring Drive, Suite 112 Palm Desert, CA 92260
Yvonne Franco, District Manager Coachella Valley Resource Conservation District 81077 Indio Blvd. Suite A Indio, CA 92201	Lauren Skiver, Chief Executive Officer/General Manager Sunline Transit Agency 32-505 Harry Oliver Trail Thousand Palms, CA 92276	Scott Morgan, Deputy Director State Clearinghouse P.O. Box 3044 1400 Tenth Street Sacramento, CA 95812-3044
Tammy Martin, Executive Director Friends of the Desert Mountains 51500 Highway 74 Palm Desert, CA 92260	Sandra Lyon, Superintendent of Schools Palm Springs Unified School District 150 District Center Drive Palm Springs, CA 92264	Joaquin Tijerina, Director Coachella Valley Small Business Development Center 44-199 Monroe Street, Suite B Indio, CA 92201
Irene N. Rodriguez, Executive Director Cabot's Pueblo Museum 67616 E. Desert View Avenue Desert Hot Springs, CA 92240	Larry Singh Community Program Specialist Desert Hot Springs Family Resource Center 14-201 Palm Drive, Suite 108 Desert Hot Springs, CA 92240	Joe Wallace Chief Executive Officer Coachella Valley Economic Partnership 3111 East Tahquitz Canyon Way Palm Springs, California 92262
David Smith, Park Superintendent, Joshua Tree National Park 74485 National Park Drive Twentynine Palms, CA 92277-3597	Southern Ca Gas Co. Construction Planning Inland Empire Region 1981 West Lugonia Avenue Redlands, Ca 92373	Edison International Attn: Planning Dept. 287 Tennessee Street Redlands, Ca 92373

Please send your comments to:

Rebecca Deming, Community Development Director
City of Desert Hot Springs
65950 Pierson Blvd.
Desert Hot Springs, CA. 92240
(760) 329-6411

To allow for mailing, receipt, and 30-day review of this NOP, the comment period closes on September 5, 2019.


Rebecca Deming,
Community Development Director
(760) 329-6411

August 5, 2019

Date

Scoping Meeting

Pursuant to CEQA Guidelines Section 15082(c) (Notice of Preparation and Determination of Scope of EIR), the City will conduct a scoping meeting for the purpose of soliciting comments of adjacent cities, responsible agencies, trustee agencies, and interested parties requesting notice as to the appropriate scope and content of the Draft EIR.

The purpose of the meeting is to present the project and environmental topics in a public setting and provide an opportunity for the City to hear from the community and interested agencies on what potential environmental issues are important to them. The meeting will include a brief presentation of the proposed project, the EIR process, and the topics to be analyzed in the EIR. Following the presentation, interested agencies, organizations, and members of the public will be encouraged to offer their views concerning what environmental issues should be included in the SEIR.

The Public Scoping Meeting will be held on the following date/time and location:

Tuesday, August 13, 2019, at 4:00 PM to 6:00 PM

Carl May Community Center
11711 West Drive
Desert Hot Springs, CA 92240
(760) 329-6411

Project Title: City of Desert Hot Springs General Plan Update

Project Applicant: City of Desert Hot Springs

Project Location:

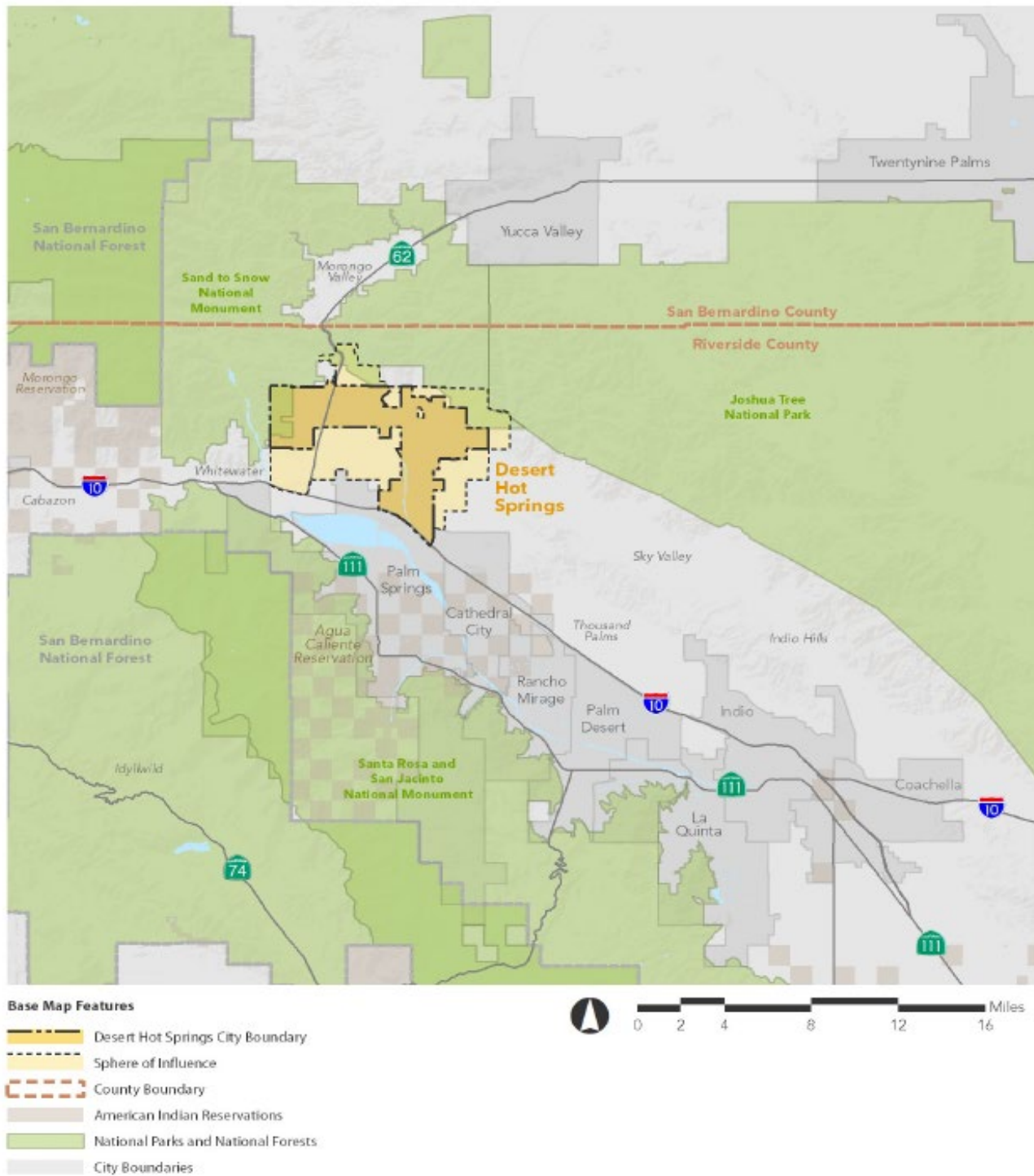
The City of Desert Hot Springs is in the northwestern portion of the Coachella Valley, north of the City of Palm Springs and south of the unincorporated community of Morongo Valley. The City is a few miles south of the Riverside County/San Bernardino County boundary. The City is located near the interchange of the I-10 freeway and SR-62 highway. The San Bernardino and Little San Bernardino Mountains bound the City on the west and north while the San Jacinto and Santa Rosa Mountains lie further to the southwest and south. Joshua Tree National Park is located immediately to the northeast of the City and the Sand to Snow National Monument is located to the north.

The southern portion of the City lies to the north of Interstate 10. Interstate 10 provides regional east-west access through Desert Hot Springs; interchanges providing access for City of Desert Hot Springs are located at Indian Canyon Drive and Palm Drive. State Route 62 is a four-lane divided highway runs in a north-south direction along the western side of the City. Primary access points for City of Desert Hot Springs access are provided at Indian Canyon Drive, Pierson Boulevard, and Dillon Road.

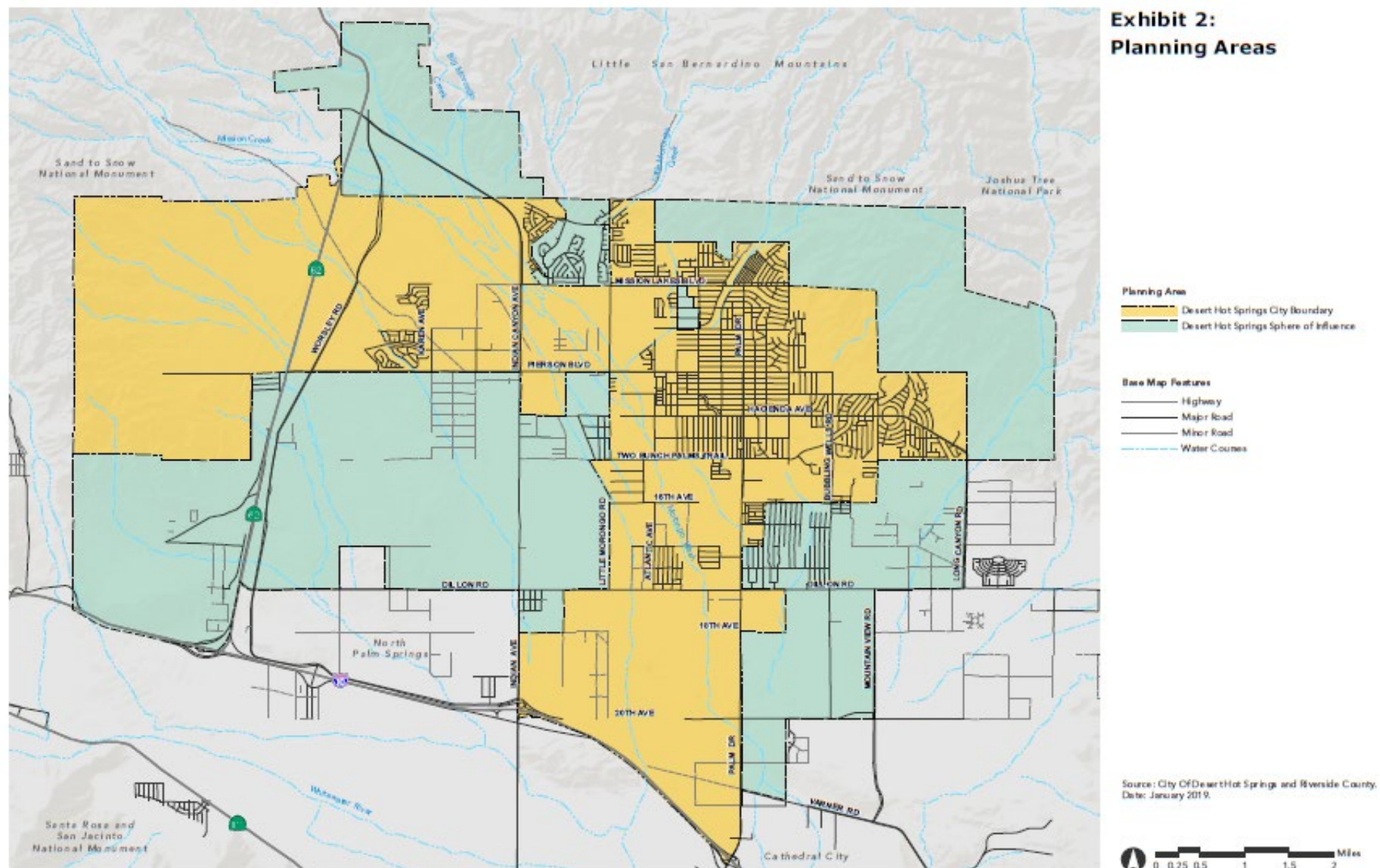
Desert Hot Springs is in a desert landscape within the Coachella Valley with views of surrounding mountain ranges, which can be snow-capped during the winter months. Sitting approximately 1,000 feet above the rest of the valley, the City overlooks Palm Springs to the south and the rest of the Coachella Valley to the southeast. The extensive alluvial plains created by drainage from these mountains form the elevated valley. Both Mission Creek and Big Morongo Wash drainages traverse through the City diagonally from northwest to southeast and connect to the Whitewater River just south of Interstate 10. The City adjoins the Sand to Snow National Monument and Joshua Tree National Park. Although warmer temperatures are characteristic of the desert setting, the climate in Desert Hot Springs is cooler than the rest of the valley, and the air is less polluted because of the City's elevated position in the mountain.

Project Description:

The Planning Area consists of the corporate boundaries of the City of Desert Hot Springs and its Sphere of Influence. The City's corporate boundaries total 30.5 square miles and its Sphere of Influence (unincorporated Riverside County) totals 28.8 square miles for a total Planning Area of 59.3 square miles. The regional and local context of the Planning Area are identified on Exhibits 1 (Vicinity Map) and 2 (Planning Area).



**Exhibit 1
Vicinity Map**



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Existing Conditions

Desert Hot Springs currently consists predominantly of low-density residential development, several commercial centers at key intersections, a pedestrian scale downtown, and light industrial uses on the periphery. Much of the Planning Area is currently undeveloped; there are areas on the periphery of the city where newer housing developments have been started. Indoor cultivation of cannabis for commercial purposes occurs in the southern portion of the City. Since incorporation in 1963, the City has seen periods of surging population growth, particularly between 1980 and 2010. During the Great Recession of 2007 to 2009, there was little growth or development. The population of the City, as of 2018, is just below 30,000; the City has nine public schools (one high school, two middle schools, and six elementary schools).

The existing land uses are divided into six categories: residential, commercial, industrial, public and institutional, open space, and undeveloped (vacant) lands. The City's Existing Land Use map is shown as Exhibit 3-3. Desert Hot Springs' existing land use distribution is noted in Table 1. There are an estimated 11,562 dwelling units within the city limits and 7,538 dwelling units in the sphere of influence, for a total 19,100 dwellings within the Planning Area.

Proposed General Plan Update

The General Plan Update is intended to achieve the land use, transportation, housing, and other goals of the City that reflect the community's growth over the long-term. Table 2 compares 2018 and 2040 for the City of Desert Hot Springs, the Sphere of Influence and combined (Planning Area). The 2040 planning horizon for the Planning Area is estimated at approximately 53,664 dwelling units, 136,402 residents, 20,349,704 building square feet of non-residential uses, and 20,531 jobs. This table captures existing conditions as of 2018 and the projected growth based on the proposed land use plan is for a future horizon year of 2040.

Exhibit 3 shows the proposed Land Use Policy Plan under the General Plan Update.

The General Plan Update also includes an update of the zoning code or Zoning Code Amendment. The Zoning Code Amendment is being completed in concert with the GPU and includes an updated Zoning Map with revised and new Zoning Districts that are consistent with the Land Use Policy Plan map. The revised and new Zoning Districts will include development standards and tables identifying permitted, conditional, and prohibited uses. This Zoning Code Amendment implements the General Plan Update.

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Table 1: Existing Land Use Distribution (2018)

Land Use Designation	Desert Hot Springs			Sphere of Influence			Planning Area		
	Net ¹ Acres	Dwelling Units	Non-Residential Building Square Feet	Net ¹ Acres	Dwelling Units	Non- Residential Building Square Feet	Net ¹ Acres	Dwelling Units	Non-Residential Building Square Feet
Residential									
Single-Family	1,533.4	7,487	—	1,085.6	5,301	—	2,619.00	12,788	—
Multiple-Family	203.2	3,204	—	15.6	246	—	218.8	3450	—
Mobile Homes	145.9	871	—	333.5	1,991	—	479.4	2,862	—
Sub-Total	1,882.5	11,562	—	1,434.7	7,538	—	3,317.20	19,100	—
Commercial									
General Commercial	140.1	—	915,413	35.9	—	234,571	176	—	1,149,984
Hotel/Motel Spa	60.8	—	582,475	0.0	—	—	60.8	—	582,475
Office	10.7	—	120,183	0.4	—	4,513	11.1	—	124,696
Sub-Total	190.0	—	1,618,071	36.3	—	239,084	247.9	—	1,857,155
Industrial									
Light Industrial	158.7	—	1,036,945	49.0	—	320,166	207.7	—	1,357,111
Wind/Solar Farms	185.8	—	—	1,575.4	—	—	1,761.20	—	—
Sub-Total	344.5	—	1,036,945	1,624.4	—	320,166	1,968.90	—	1,357,111
Public and Institutional									
Public Facility	37.3	—	—	214.1	—	—	251.4	—	—
School - Public	111.3	—	—	14.9	—	—	126.2	—	—
Museum	4.8	—	—	—	—	—	4.8	—	—
Utility/Infrastructure	140.6	—	—	—	—	—	140.6	—	—
Sub-Total	294.0	—	—	229.0	—	—	523	—	—
Open Space									
Parks and Recreation	53.7	—	—	—	—	—	53.7	—	—
Golf Course	—	—	—	362.3	—	—	362.3	—	—
Open Space	4,508.3	—	—	5,613.0	—	—	10,121.30	—	—
Sub-Total	4,562.0	—	—	5,975.3	—	—	10,537.30	—	—
Undeveloped Land									
Vacant	10,764.3	—	—	8,179.7	—	—	18,962.30	—	—
Sub-Total	10,764.3	—	—	8,179.7	—	—	18,962.30	—	—
TOTAL	18,058.9	11,562	2,655,016	17,497.7	7,538	559,250	35,556.60	19,100	3,214,266

Source: City of Desert Hot Springs, Riverside County Assessor's Data, and General Plan Update GIS data, 2018.

Note: 1) Net acres excludes streets and other public rights of way.

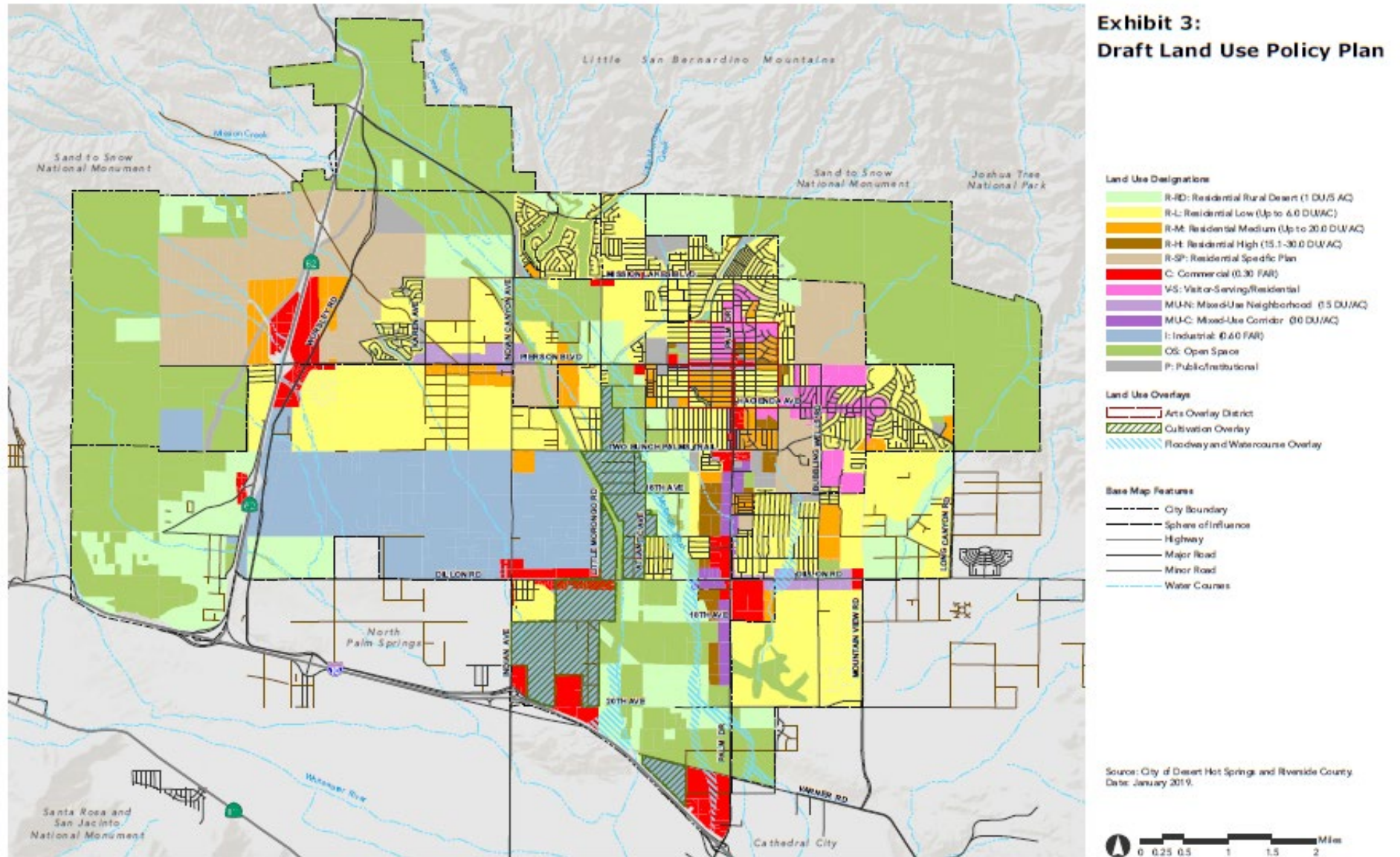


Table 2: General Plan Update - Comparison of 2018 and 2040

Area		Dwelling Units			Population	Non-Residential Building Sq. Ft. ³	Employees	Hotel/Motel Rooms	Students
		SF ¹	MF ²	Total					
City	2018	8,358	3,204	11,562	29,390	2,655,016	4,162	755	6,326
	2040	22,214	12,594	34,808	88,476	13,140,605	14,611	1,652	12,900
	Change	+13,856	+9,390	+23,246	+59,086	+10,485,589	+10,449	+897	+6,574
SOI	2018	7,292	246	7,538	19,160	559,250	1,020	--	763
	2040	18,025	831	18,856	47,926	7,209,099	5,920	--	7,100
	Change	+10,733	+585	+11,318	+28,766	+6,649,849	+4,900	--	+6,337
Planning Area	2018	15,650	3,450	19,100	48,550	3,214,266	5,182	755	7,089
	2040	40,239	13,425	53,664	136,402	20,349,704	20,531	1,652	20,000
	Change	+24,589	+9,975	+34,564	+87,852	+17,135,438	+15,349	+897	+12,911

The General Plan Update addresses the seven State mandated general plan elements (land use, circulation, housing, safety, conservation, open space, and noise), and also includes two optional elements the Economic Development Element and the Health and Wellness Element. The updated General Plan establishes an overall development capacity and serves as a policy guide for determining the appropriate physical development, community services, and character of the entire Planning Area. The General Plan Update includes the following chapters:

- Introduction
- Land Use and Community Design Element
- Housing Element
- Economic Development Element
- Mobility and Infrastructure Element
- Open Space and Community Resources Element
- Health and Wellness Element
- Safety and Noise Element

The Land Use and Community Design Element includes a Land Use Plan that establishes 12 land use designations intended to provide a rational and orderly approach to land use development. The land use designations and acreages for the City are noted in Table 3 and for the City's Sphere of Influence (SOI) in Table 4 while Table 5 shows the land use information for the Planning Area (the City and the SOI combined).

No individual, site-specific development proposals will be approved as part of the General Plan Update EIR. Any such individual project would be subject to its own CEQA review, including evaluation against the General Plan EIR.

Table 3: Desert Hot Springs (City) General Plan Update (2040) Land Use

Land Use Designation	Net Acres	Max. DU/AC FAR	Units	Pop.	Commercial, Office, and Industrial Building Square Feet	Employment
Residential						
Residential -Rural Desert	2,212.7	0.20 DU/AC	230	585	--	--
Residential -Low	2,656.2	6.0 DU/AC	11,168	28,388	--	--
Residential -Medium	677.6	20.0 DU/AC	6,568	16,695	--	--
Residential -High	269.5	30.0 DU/AC	5,176	13,156	--	--
Sub-Total	5,816.0	N/A	23,142	58,824	--	--
Commercial						
General Commercial	984.8	0.30 FAR	--	--	5,581,081 SF	5,390
Visitor-Serving/ Residential	557.5	1.00 FAR	--	--	--	630
Sub-Total	1,542.3	--	--	--	5,581,081 SF	6,020
Mixed Use						
Mixed-Use Corridor	223.3	30.0 DU/AC	2,679	6,810	340,397 SF	467
Mixed-Use Neighborhood	188.7	15.0 DU/AC	1,132	2,877	287,631 SF	395
Sub-Total	412.0	--	3,811	9,687	628,028 SF	862
Industrial						
Industrial/Employment	1,302.8	0.60 FAR	--	--	6,809,996 SF	5,566
Sub-Total	1,302.8	--	--	--	6,809,996 SF	5,566
Public Uses						
Public Facilities	622.6	--	--	--	(12,900 students)	1,277
Sub-Total	622.6	--	--	--	--	1,277
Open Space/Recreation						
Open Space	4,796.4	--	--	--	--	--
Sub-Total	4,796.4	--	--	--	--	--
Other						
Specific Plans	3,566.8	varies	7,855	19,965	121,500 SF	886
Sub-Total	3,566.8	--	7,855	19,965	121,500 SF	886
TOTAL	18,058.9		34,808	88,476	13,140,605 SF	14,611

Source: City of Desert Hot Springs and General Plan Update GIS data.

Note: Project area acreage excludes ROWs within planning area.

Table 4: SOI General Plan Land Uses (2040)

Land Use Designation	Net Acres	Max. DU/AC FAR	Units	Pop.	Commercial, Office, and Industrial Building Square Feet	Employment
Residential						
Residential -Rural Desert	2,229.4	0.20 DU/AC	232	589	--	--
Residential -Low	4,289.4	6.0 DU/AC	15,208	38,655	--	--
Residential -Medium	326.0	20.0 DU/AC	2,585	6,570	--	--
Sub-Total	6,844.8	N/A	18,025	45,814	--	--
Commercial						
General Commercial	244.8	0.30 FAR	--	--	1,226,251	1,340
Sub-Total	244.8	--	--	--	1,226,251	1,340
Mixed Use						
Mixed-Use Corridor	9.7	30.0 DU/AC	116	295	14,728	20
Mixed-Use Neighborhood	119.1	15.0 DU/AC	715	1,817	181,610	249
Sub-Total	128.8	--	831	2,112	196,338	269
Industrial						
Industrial/Employment	3,008.5	0.60 FAR	--	--	5,786,510	3,845
Sub-Total	3,008.5	--	--	--	5,786,510	3,845
Public Uses						
Public Facilities	250.3	--	--	--	(7,100 students)	466
Sub-Total	250.3	--	--	--	--	466
Open Space/Recreation						
Open Space	7,020.5	--	--	--	--	--
Sub-Total	7,020.5	--	--	--	--	--
TOTAL	17,497.7	--	18,856	47,926	7,209,099	5,920

Source: City of Desert Hot Springs and General Plan Update GIS data.

Note: Project area acreage excludes ROWs within planning area.

Required Approvals:

Implementation of the General Plan Update will require the following discretionary approvals by the City of Desert Hot Springs's City Council:

- Certification of Final Environmental Impact Report;
- Adoption of a Mitigation Monitoring and Reporting Program;
- Adoption of General Plan Update
- Adoption of Zoning Code and Map Amendment

Table 5: Planning Area General Plan Land Uses (2040)

Land Use Designation	Net Acres	Max. DU/AC FAR	Units	Pop.	Commercial, Office, and Industrial Building Square Feet	Employment
Residential						
Residential -Rural Desert	4,442.1	0.20 DU/AC	462	1,174	--	--
Residential -Low	6,945.6	6.0 DU/AC	26,376	67,043	--	--
Residential -Medium	1,003.6	20.0 DU/AC	9,153	23,265	--	--
Residential -High	269.5	30.0 DU/AC	5,176	13,156	--	--
Sub-Total	12,660.8	N/A	41,167	104,638	--	--
Commercial						
General Commercial	1,229.6	0.30 FAR	--	--	6,807,332	6,730
Visitor-Serving/ Residential	557.5	1.00 FAR	--	--	-	630
Sub-Total	1,787.1	--	--	--	6,807,332	7,360
Mixed Use						
Mixed-Use Corridor	233.0	30.0 DU/AC	2,795	7,105	355,125	487
Mixed-Use Neighborhood	307.8	15.0D U/AC	1,847	4,694	469,241	644
Sub-Total	540.8	--	4,642	11,799	824,366	1,131
Industrial						
Industrial/Employment	4,311.3	0.60 FAR	--	--	12,596,506	9,411
Sub-Total	4,311.3	--	--	--	12,596,506	9,411
Public Uses						
Public Facilities	872.9	--	--	--	(12,900 students)	1,743
Sub-Total	872.9	--	--	--	--	1,743
Open Space/Recreation						
Open Space	11,816.9	--	--	--	--	--
Sub-Total	11,816.9	--	--	--	--	--
Other						
Specific Plans	3,566.8	Varies	7,855	19,965	121,500	886
Sub-Total	3,566.8	-	7,855	19,965	121,500	886
TOTAL	35,556.6	-	53,664	136,402	20,349,704	20,531

Source: City of Desert Hot Springs and General Plan Update GIS data.

Note: Project area acreage excludes ROWs within planning area.

Programmatic EIR:

The City of Desert Hot Springs has determined that the proposed General Plan Update will require preparation of an EIR pursuant to the California Environmental Quality Act (CEQA). The City is the Lead Agency for preparation of a Program Environmental Impact Report (Program EIR) for the proposed General Plan Update. The Program EIR will evaluate the environmental impacts resulting from implementation of the General Plan Update and will recommend mitigation measures to avoid or reduce significant impacts, where applicable. The Program EIR also is intended to help the City review future project proposals pursuant to section 15168 (Program EIR) of the CEQA Guidelines.

The following environmental topics will be evaluated in the EIR:

Aesthetics: The EIR will describe the aesthetic implications of the proposed General Plan Update, including its visual relationships to the surrounding vicinity and the potential impacts of development (the proposed array of building masses, heights, view corridors etc.) on important surrounding vantage points.

Air Quality: The EIR will describe the potential impacts of the General Plan Update on local and regional air quality based on methodologies defined by the South Coast Air Quality Management District (SCAQMD).

Biological Resources: The EIR will evaluate potential impacts on biological resources resulting from implementation of the General Plan Update.

Cultural and Tribal Cultural Resources: The EIR will describe any potential impacts and mitigation needs associated with historic and cultural (archaeological) resources, including potential impacts on Tribal Cultural Resources.

Geology and Soils: The EIR will describe the potential geotechnical implications and/or geologic hazards associated with implementation of the General Plan Update.

Greenhouse Gas Emissions and Global Climate Change: The EIR will describe the impacts of implementation of the General Plan Update on greenhouse gas emissions and global climate change, following the latest approach and methodologies recommended by State and regional agencies.

Hazards and Hazardous Materials: The EIR will describe the potential for hazardous material use or hazardous waste investigation and cleanup activities anticipated in the plan area and will describe any associated potential impacts and mitigation needs, if applicable. Potential construction period hazards and hazardous material impacts and mitigation needs will also be described.

Hydrology and Water Quality: The EIR will evaluate potential impacts on hydrology and water quality resulting from implementation of the General Plan Update, including possible effects related to drainage and flooding.

Land Use and Planning: The EIR will describe the potential effects of implementation of the General Plan Update on existing and planned land use characteristics in the City, including the General Plan's relationship to other adopted regional and local plans.

Mineral Resources: The EIR will evaluate if the General Plan Update will have any significant impact on existing mineral resources in the Planning Area.

Noise: The EIR will describe potential construction and long-term operational noise (traffic, mechanical systems etc.) impacts and related mitigation needs where applicable.

Population and Housing: The EIR will describe the anticipated effects of the projected population growth and subsequent increase in housing. This information will be used to forecast public service and utility needs in the General Plan area.

Public Services: The EIR will describe potential impacts on public services (police and fire protection parks and recreation, and schools).

Transportation and Circulation: The EIR will describe the transportation and circulation implications of the proposed General Plan Update, including the contribution to daily and peak hour traffic on local and regional roadways. The evaluation will include roadway system impacts, transit implications, and effects on pedestrian and bicycle circulation. General Plan components to improve multimodal travel will also be considered

Utilities and Service Systems: The EIR will describe the impacts of implementation of the General Plan Update on local utility and service systems, including water supply, water and wastewater treatment, and solid waste and recycling.

Agriculture and Forestry: The EIR will explain why these CEQA-defined environmental topics will not be adversely affected by implementation of the General Plan Update.

Alternatives: Pursuant to CEQA Guidelines Section 15126.6, the EIR will identify and compare a reasonable range of alternatives to the General Plan Update.

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
 1550 Harbor Blvd., Suite 100
 West Sacramento, CA 95691 Phone: (916) 373-3710
 Email: nahc@nahc.ca.gov
 Website: <http://www.nahc.ca.gov>



August 15, 2019

Rebecca Demming
 Desert Hot Springs, City of
 65950 Pierson Boulevard
 Desert Hot Springs, CA 92240

RE: SCH# 2019080101, Desert Hot Springs General Plan Update and Zoning Amendment Project, Riverside County

Dear Ms. Demming:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. **Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. **Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. **Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. **Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. **Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Staff Services Analyst

cc: State Clearinghouse



South Coast Air Quality Management District

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

SENT VIA USPS AND E-MAIL:

rdeming@cityofdhs.org

Rebecca Deming, Director

City of Desert Hot Springs, Community Development Department

65950 Pierson Boulevard

Desert Hot Springs, CA 92240

September 3, 2019

Notice of Preparation of a Draft Environmental Impact Report for the Proposed City of Desert Hot Springs General Plan Update

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. South Coast AQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send South Coast AQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to South Coast AQMD. Please forward a copy of the Draft EIR directly to South Coast AQMD at the address shown in the letterhead. **In addition, please send with the Draft EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files¹. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, South Coast AQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

South Coast AQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. South Coast AQMD staff recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analyses. Copies of the Handbook are available from the South Coast AQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on South Coast AQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). South Coast AQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

On March 3, 2017, the South Coast AQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP), which was later approved by the California Air Resources Board on

¹ Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

Rebecca Deming

-2-

September 3, 2019

March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment. The 2016 AQMP is available on South Coast AQMD's website at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

South Coast AQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, South Coast AQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This Guidance Document provides suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. South Coast AQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on South Coast AQMD's website at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>. Additional guidance on siting incompatible land uses (such as placing homes near freeways or other polluting sources) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. Guidance² on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

South Coast AQMD has also developed both regional and localized air quality significance thresholds. South Coast AQMD staff requests that the Lead Agency compare the emissions to the recommended regional significance thresholds found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, South Coast AQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the Proposed Project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by South Coast AQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in the EIR. The degree of specificity will correspond to the degree of specificity involved in the underlying activity which is described in the EIR (CEQA Guidelines Section 15146). When quantifying air quality emissions, emissions from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air

² In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, for phased projects where there will be an overlap between construction and operation, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA operational thresholds to determine the level of significance.

If the Proposed Project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

If the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying possible mitigation measures for the Proposed Project, including:

- Chapter 11 "Mitigating the Impact of a Project" of South Coast AQMD's *CEQA Air Quality Handbook*
- South Coast AQMD's CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- South Coast AQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- California Air Pollution Control Officers Association's (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Alternatives

If the Proposed Project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a "no project" alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the Draft EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project.

Permits

If implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. For more information on permits, please visit South Coast AQMD's webpage at:

Rebecca Deming

-4-

September 3, 2019

<http://www.aqmd.gov/home/permits>. Questions on permits can be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

Data Sources

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

South Coast AQMD staff is available to work with the Lead Agency to ensure that project air quality impacts are accurately evaluated and mitigated where feasible. Please contact me at lsun@aqmd.gov, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

LS
RVC190807-02
Control Number



September 4, 2019

Rebecca Deming
Community Development Director, City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, CA 92240

RECEIVED
Building Department
SEP 05 2019
City of Desert Hot Springs

FREDERICK W. NOBLE
President / CEO

RE: "Notice of Preparation of a Draft Environmental Impact Report for the City of Desert Hot Springs General Plan Update" August 5, 2019

Ms Deming:

This is in response to your Notice of Preparation (Notice) dated August 5, 2019. We are responding on behalf of D&E Land Company, LLC, D&F Land Company, LLC, Wintec Properties, LLC and Wintec Energy Ltd, (the Wintec entities.)

The Wintec entities own land within the County of Riverside and within the Desert Hot Springs Sphere of Influence. The land is located contiguous to the northerly city limits of the City of Palm Springs and is depicted on the map attached as exhibit A. Most of the land is developed with the Sentinel Energy Center, a state of the art natural gas peaking plant, an essential component of the Southern California utility grid. The plant operates as authorized by California Energy Commission and the County of Riverside General Plan and Energy Industrial Zone.

Apparently the City of Desert Hot Springs seeks to pre-zone this property as in the City's Industrial Zone. Unfortunately, the City's current Industrial Zone does not allow for the operation of power plants other than cogeneration facilities. Thus, if the property were annexed to the City and the existing Industrial Zone were imposed un-amended, the Sentinel Energy Center would become a non-conforming use with all the difficulties that would entail.

Your Environmental Impact Report, thus, must take into account Sentinel and the adjacent Edison Devers Substation and related utility infrastructure, which taken in the aggregate are a vital part of the Southern California electrical infrastructure. Please note that this is not vacant land.

2045 E. Tahquitz Canyon Way • Palm Springs, CA 92262
Phone (760) 323-9490 • Fax (760) 323-0688

References made to Exhibit 3 to the Notice entitled "Draft Land Use Policy Plan." The property identified as industrial located north of Dillon Road and West of Indian Avenue and continuing north at least to Pierson Boulevard, is part of the Riverside County Wind Overlay District. This area is one of the best locations in the world for wind energy development, all things considered. Thus, the RL (Residential) designation for property within the Wind Energy Overlay is inappropriate, and in our view, mistaken. This is a windswept area. Many years ago, a few homes were built there and by and large were abandoned and demolished due to the difficult environment. In fact, it might be argued that it is irresponsible to create a situation where innocent people might be misled regarding the habitability of such an area.

The Notice provides, under the heading Utilities and Service Systems, that it will study the impacts of the implementation of the General Plan Update on local utilities and service systems. Sentinel Power Plant is a vital component of the Southern California utility infrastructure, and is the cleanest power plant in the State of California. The impact upon the utility system of reducing it to a non-conforming use must be studied.

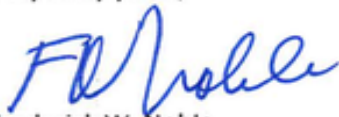
The EIR should study the impact upon the environment should prime wind energy land be converted to housing.

In our view, if Desert Hot Springs seeks to annex these properties, and nothing in this letter should construe that we, as land owners, are willing to be annexed, the City should adopt the County Renewable Energy/Power Plant regulatory scheme because it has enabled over \$2,000,000,000 of utilities/renewable energy facilities and is responsible for what is generally considered as the most productive wind energy area in the world.

As a housekeeping matter, there is a small sliver of land, running north from Dillon road on the west side of Melissa Lane, which you have identified as within your Sphere of Influence. That sliver of land, is in fact, within the City Limits of Palm Springs. This error occurred because re the original LAFCO map was inaccurate. We can provide you with a copy of the corrected map if you desire.

We are available to discuss these matters further. Please contact Chris Luckner, (310) 489-1605 or the undersigned at (760) 323-9490 extension 100.

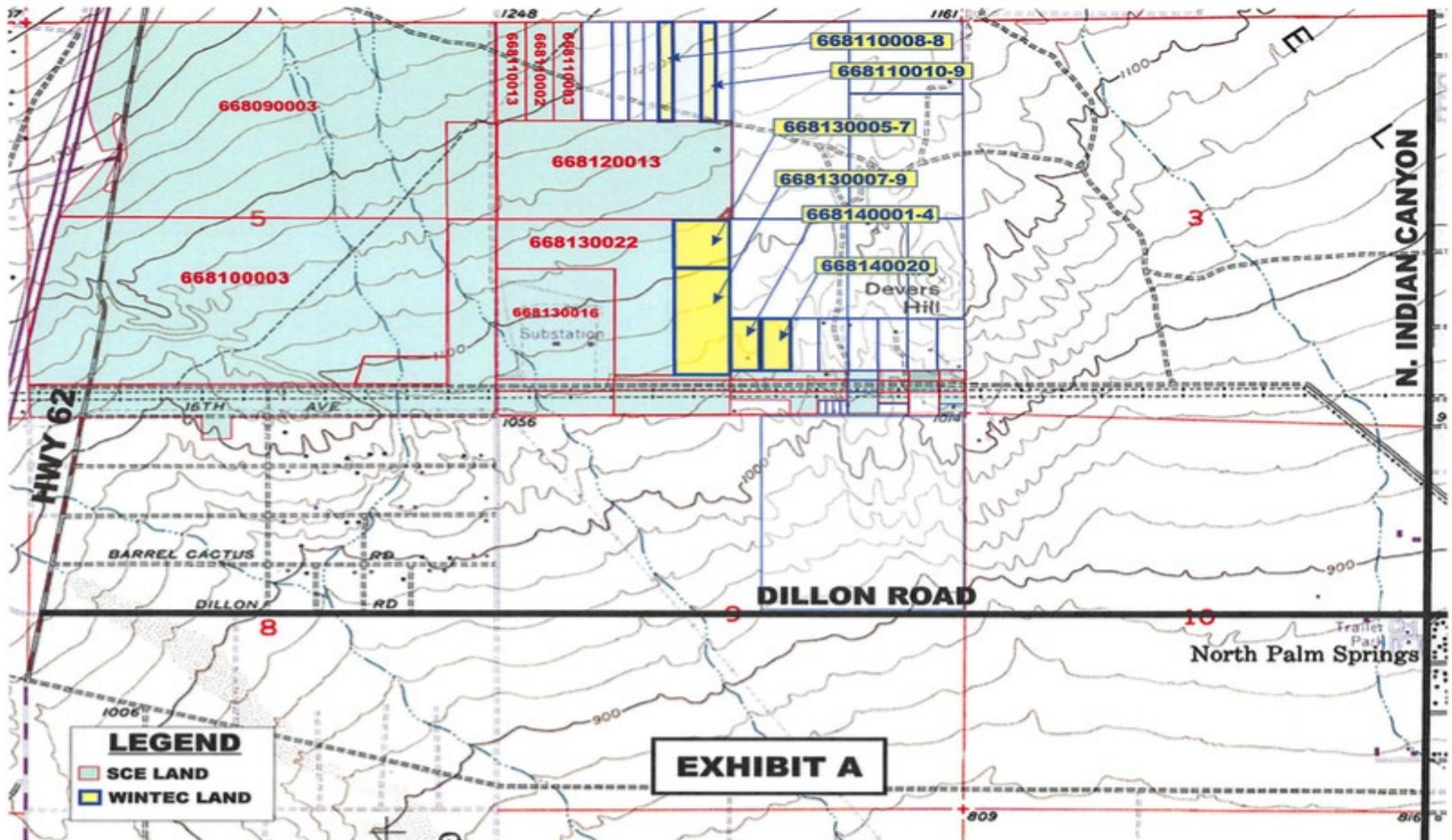
Very Truly yours,



Frederick W. Noble

On behalf of the above listed entities

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 5, 2019
Sent via email

Ms. Rebecca Deming
Community Development Director
City of Desert Hot Springs
65950 Pierson Blvd.
Desert Hot Springs, CA 92240
rdeming@cityofdhs.org

Subject: Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
State Clearinghouse No. 2019080101

Dear Ms. Deming:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of Desert Hot Springs (City) for the City of Desert Hot Springs General Plan Update Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 2 of 11

public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project proposes an update to the existing General Plan to achieve land use, transportation, housing, and other goals of the City that reflect the community's growth for a future horizon year of 2040. The Project also includes an update of the zoning code, which will generate an updated Zoning Map with revised and new Zoning Districts that are consistent with the Land Use Policy Plan Update.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to the Project's consistency with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).

CDFW recognizes that the general plan EIR need not be as detailed as CEQA documents prepared for specific projects that may follow (CEQA Guidelines § 15146). CDFW also recognizes that the level of detail should be reflective of the level contained in the plan or plan element being considered (*Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal.App.4th 351). However, please note that the City cannot defer the analysis of significant effects of the general plan to later-tiered CEQA documents (*Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182).

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 3 of 11

DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be effected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service (USFWS), where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 4 of 11

4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <https://www.wildlife.ca.gov/Conservation/Plants>);
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125(c)).
6. A full accounting of all mitigation/conservation lands within and adjacent to the Project.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to affect biological resources as a result of the Project (including the plan's land use designations, policies and programs). To ensure that project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by Project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

With respect to defensible space: please ensure that the DEIR fully describes and identifies the location, acreage, and composition of defensible space *within* proposed development land use designations. Please ensure that any graphics and descriptions of defensible space associated with this Project comply with Riverside County Fire (or other applicable agency) regulations/ requirements. The City, through their planning processes, should be ensuring that defensible space is provided and accounted for *within proposed development land use designated areas*, and not transferred to adjacent open space or conservations lands.

2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or conservation/mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 5 of 11

Please note that the Project area supports significant biological resources and contains habitat connections, providing for wildlife movement across the broader landscape, sustaining both transitory and permanent wildlife populations. CDFW encourages the City to consider project design that avoids and preserves onsite features that contribute to habitat connectivity. The DEIR should include a discussion of both direct and indirect impacts to wildlife movement and connectivity, including maintenance of wildlife corridor/movement areas to adjacent undisturbed habitats.

3. An evaluation of impacts to adjacent open space lands from both the Project and long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines § 15130. The DEIR must analyze the cumulative effects of the plan's land use designations, policies and programs on the environment. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

The DEIR must describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis must also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]). The no Project alternative must evaluate how the changing environment, such as climate change and drought, may affect the community if a new or revised general plan were not adopted.

Mitigation Measures for Project Impacts to Biological Resources

The DEIR must identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The City should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 6 of 11

potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.

2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process.
4. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines §15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of*

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 7 of 11

Murrieta (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 8 of 11

thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.). The issuance of this Agreement does not in any way exempt or excuse compliance with these statutes.

CDFW recommends that the DEIR include specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. If pre-construction surveys are proposed in the DEIR, CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

Coachella Valley Multiple Species Habitat Conservation Plan

Within the Inland Deserts Region, CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the CVMSHCP per Section 2800, *et seq.*, of the California Fish and Game Code on September 9, 2008. The CVMSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the CVMSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the CVMSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the CVMSHCP please go to: <http://www.cvmshcp.org/>.

The proposed Project occurs within the CVMSHCP area and is subject to the provisions and policies of the CVMSHCP. In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the CVMSHCP and its associated Implementing Agreement. The City is the Lead Agency and is signatory to the Implementing Agreement of the CVMSHCP. The Upper Mission Creek/Big Morongo Canyon Conservation Area occurs within the City's boundary. The Conservation Objectives for the Upper Mission Creek/Big Morongo Canyon Conservation Area are

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 9 of 11

identified in Section 4.3.7 of the CVMSHCP. If the DEIR proposes Project elements, including changes in land use designations (for example from open space to a development land use designation), within a Conservation Area, the Project will be subject to the Joint Project Review (JPR) process through the Coachella Valley Conservation Commission (CVCC). The Project will need to demonstrate consistency with the Conservation Objectives (as identified in CVMSHP Section 4.3.7), and address Avoidance, Minimization, and Mitigation Measures (CVMSHCP Section 4.4), and Land Use Adjacency Guidelines (CVMSHCP Section 4.5).

Regardless of whether take of threatened and/or endangered species is obtained through the CVMSHCP or through a CESA ITP, the DEIR needs to address how the proposed Project will affect the conservation objectives of the CVMSHCP.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project; unless this Project is proposed to be a covered activity under the CVMSHCP. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Lake and Streambed Alteration Program

Based on review of aerial photography, the City boundary encompasses a multitude of ephemeral streambeds. CDFW recommends that the City condition the DEIR to include a mitigation measure for consultation with CDFW to determine if Fish and Game Code section 1600 et seq, resources may occur within a proposed project area. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year round). This includes

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 10 of 11

ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify the Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the City of Desert Hot Springs General Plan Update Project (SCH No. 2018080101) and

Notice of Preparation of a Draft Environmental Impact Report
City of Desert Hot Springs General Plan Update Project
SCH No. 2019080101
Page 11 of 11

recommends that City address CDFW's comments and concerns in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, please contact Joanna Gibson, Senior Environmental Scientist, Specialist, at (909) 987-7449 or at joanna.gibson@wildlife.ca.gov.

Sincerely,



Scott Wilson
Environmental Program Manager
Inland Deserts Region

ec: Office of Planning and Research, State Clearinghouse, Sacramento

California Department of Fish and Wildlife
Heather Pert

REFERENCES

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California.
<http://vegetation.cnps.org/>



September 4, 2019

RECEIVED
COMMUNITY DEVELOPMENT
SEP 05 2019
CITY OF DESERT HOT
SPRINGS

Ms. Rebecca Deming
Community Development Director
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240

Subject: Notice of Preparation of Draft Environmental Impact Report for the City of Desert Hot Springs
General Plan Update

Dear Ms. Deming:

We are providing comments to the Notice of Preparation that was issued on August 5, 2019, and the Scoping Meeting that was held on August 13, 2019, in reference to the Proposed General Plan Update for the City of Desert Hot Springs.

Comment 1:

We believe that Table 1: Existing Land Use Distribution (2018) in the Notice of Preparation needs to be amended to acknowledge existing Utility / Infrastructure in that Land Use Designation for the Sphere of Influence, which should include the Southern California Edison Devers Electrical Substation consisting of a nominal 160 acres and the Sentinel Energy Center consisting of a nominal 50 acres. Both of these existing land uses are north of Dillion Road and east of Diablo Road / Oasis Drive, which would place them in the Sphere of Influence portion of the Planning Area. The Land Use Designation, Wind / Solar Farms indicates 1,575.4 acres utilized for those purposes in the Sphere of Influence area; however this category does not account for electrical transmission and generation uses that exist in the Sphere of Influence.

Comment 2:

Exhibit 3: Draft Land Use Policy Plan indicates just one overall Land Use Designation for all industrial uses, I: Industrial: (0.60 FAR). We believe that this is too general of a land use designation and does not appropriately reflect the existing land uses in portions of the Sphere of Influence area. The current Land Use Designations for industrial uses include I-L – Light Industrial, I-M – Medium Industrial and I-E – Industrial Energy-Related, which are more appropriate given the existing land uses and the significant energy related potential in portions of the Sphere of Influence area.



Comment 3:

Exhibit 3: Draft Land Use Policy Plan indicates that abutting the large Land Use Designation I: Industrial: (0.60 FAR) you have indicated a Land Use Designation of R-L: Residential Low (Up to 6.0 DU/AC). We believe that this R-L Land Use Designation should be reevaluated for possible designation as I: Industrial: (0.60 FAR) and more specifically I-E - Industrial Energy-Related since it may contain high value wind resource capabilities.

Comment 4:

We believe that the City of Desert Hot Springs should consider incorporating and maintaining the existing Land Use Designations and Zoning Code Districts that have been developed by the County of Riverside for the unincorporated areas of the Desert Hot Springs Sphere of Influence.

The San Gorgonio Pass and the western portion of the Coachella Valley are a world recognized wind resource area and provide significant electrical energy for the Coachella Valley and surrounding Southern California communities. The Desert Hot Springs General Plan Update will need to acknowledge the electrical infrastructure resources that are currently located in the City of Desert Hot Springs along with the Sphere of Influence, provide for the ability to continue to utilize these resources and have the ability to add needed infrastructure to integrate these resources in to the Southern California electrical grid.

Please include us in your list of entities that would receive future correspondence pertaining to the Desert Hot Springs General Plan Update, the Draft Environmental Impact Report, and the California Environmental Quality Act processes relating to the General Plan Update. The following is our contact information:

Mr. Bo Buchynsky, COO
Diamond Generating LLC
633 West Fifth Street, Suite 2700
Los Angeles, California 90071

Phone: (213) 473 – 0080 Facsimile: (213) 620 – 1170
Email: b.buchynsky@dgc-us.com

We look forward to participating in your General Plan Update.

Best regards,



Bo Buchynsky
Chief Operating Officer
Diamond Generating LLC



SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

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Community, Economic &
Human Development
Peggy Huang, Transportation
Corridor Agencies
Energy & Environment
Linda Parks, Ventura County
Transportation
Cheryl Viegas-Walker, El Centro

September 5, 2019

Ms. Rebecca Deming, Community Development Director
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240
Phone: (760) 329-6411
E-mail: rdeming@cityofdhs.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of Desert Hot Springs General Plan Update [SCAG NO. IGR9986]

Dear Ms. Deming,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the City of Desert Hot Springs General Plan Update ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.¹ SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Community Strategies (RTP/SCS) goals and align with RTP/SCS policies.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the City of Desert Hot Springs General Plan Update. The proposed project includes updating the existing General Plan within the Planning Area of the City and its Sphere of Influence.

When available, please send environmental documentation to SCAG's Los Angeles office in Los Angeles (900 Wilshire Boulevard, Ste. 1700, Los Angeles, California 90017) or by email to au@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Anita Au, Associate Regional Planner, at (213) 236-1874 or au@scag.ca.gov. Thank you.

Sincerely,

Ping Chang
Manager, Compliance and Performance Monitoring

¹ Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2016 RTP/SCS for the purpose of determining consistency for CEQA. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a determination of consistency with the 2016 RTP/SCS for CEQA.

September 5, 2019
Ms. Rebecca Deming

SCAG No. IGR9986
Page 2

**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
CITY OF DESERT HOT SPRINGS GENERAL PLAN UPDATE [SCAG NO. IGR9986]**

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS. For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the RTP/SCS.

2016 RTP/SCS GOALS

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>). The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

SCAG 2016 RTP/SCS GOALS	
RTP/SCS G1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCS G2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCS G3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCS G4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCS G5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCS G6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)</i>
RTP/SCS G7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCS G8:	<i>Encourage land use and growth patterns that facilitate transit and active transportation</i>
RTP/SCS G9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*</i>
*SCAG does not yet have an agreed-upon security performance measure.	

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

September 5, 2019
Ms. Rebecca Deming

SCAG No. IGR9986
Page 3

SCAG 2016 RTP/SCS GOALS	
Goal	Analysis
RTP/SCS G1: <i>Align the plan investments and policies with improving regional economic development and competitiveness</i>	Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference
RTP/SCS G2: <i>Maximize mobility and accessibility for all people and goods in the region</i>	Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference
etc.	etc.

2016 RTP/SCS STRATEGIES

To achieve the goals of the 2016 RTP/SCS, a wide range of land use and transportation strategies are included in the 2016 RTP/SCS. Technical appendances of the 2016 RTP/SCS provide additional supporting information in detail. To view the 2016 RTP/SCS, please visit: <http://scagrtpscscs.net/Pages/FINAL2016RTPSCS.aspx>. The 2016 RTP/SCS builds upon the progress from the 2012 RTP/SCS and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that the SCAG region strives toward a more sustainable region, while the region meets and exceeds in meeting all of applicable statutory requirements pertinent to the 2016 RTP/SCS. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

DEMOGRAPHICS AND GROWTH FORECASTS

Local input plays an important role in developing a reasonable growth forecast for the 2016 RTP/SCS. SCAG used a bottom-up local review and input process and engaged local jurisdictions in establishing the base geographic and socioeconomic projections including population, household and employment. At the time of this letter, the most recently adopted SCAG jurisdictional-level growth forecasts that were developed in accordance with the bottom-up local review and input process consist of the 2020, 2035, and 2040 population, households and employment forecasts. To view them, please visit <http://www.scaq.ca.gov/Documents/2016GrowthForecastByJurisdiction.pdf>. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts			Adopted City of Desert Hot Springs Forecasts		
	Year 2020	Year 2035	Year 2040	Year 2020	Year 2035	Year 2040
Population	19,663,000	22,091,000	22,138,800	39,200	53,100	58,900
Households	6,458,000	7,325,000	7,412,300	14,400	19,700	21,900
Employment	8,414,000	9,441,000	9,871,500	7,900	12,300	12,900

MITIGATION MEASURES

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. SCAG's Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016 (please see: <http://scagrtpscscs.net/Pages/FINAL2016PEIR.aspx>). The Final PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

Notice of Completion

Appendix C

Notice of Completion & Environmental Document Transmittal

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

SCH # 2019080101

Project Title: Desert Hot Springs General Plan Update and Zoning Amendment

Lead Agency: City of Desert Hot Springs

Contact Person: Rebecca Demming

Mailing Address: 65950 Pierson Boulevard

Phone: 760-329-6411

City: Desert Hot Springs

Zip: 92240

County: Riverside

Project Location: County: Riverside

City/Nearest Community: Desert Hot Springs

Cross Streets: Multiple

Zip Code: 92240

Longitude/Latitude (degrees, minutes and seconds): 33 ° 58 ' 01 " N / 116 ° 33 ' 01 " W Total Acres: 37,952 (City and SOI)

Assessor's Parcel No.: All in City

Section: Multiple

Twp.: Multiple

Range: Multiple

Base: Multiple

Within 2 Miles: State Hwy #: SR-62, I-10

Waterways: N/A

Airports: N/A

Railways: N/A

Schools: Multiple

Document Type:

CEQA: ☐ NOP

☐ Early Cons

☐ Neg Dec

☐ Mit Neg Dec

☒ Draft EIR

☐ Supplement/Subsequent EIR

(Prior SCH No.) _____

Other: _____

NEPA: ☐ NOI

☐ EA

☐ Draft EIS

☐ FONSI

Other: ☐ Joint Document

☐ Final Document

☐ Other: _____

Local Action Type:

☒ General Plan Update

☐ General Plan Amendment

☐ General Plan Element

☐ Community Plan

☐ Specific Plan

☐ Master Plan

☐ Planned Unit Development

☐ Site Plan

☐ Rezone

☐ Prezone

☐ Use Permit

☐ Land Division (Subdivision, etc.)

☐ Annexation

☐ Redevelopment

☐ Coastal Permit

☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____

☐ Office: Sq.ft. _____ Acres _____ Employees _____

☐ Commercial: Sq.ft. _____ Acres _____ Employees _____

☐ Industrial: Sq.ft. _____ Acres _____ Employees _____

☐ Educational: _____

☐ Recreational: _____

☐ Water Facilities: Type _____ MGD _____

☐ Transportation: Type _____

☐ Mining: Mineral _____

☐ Power: Type _____ MW _____

☐ Waste Treatment: Type _____ MGD _____

☐ Hazardous Waste: Type _____

☒ Other: All

Project Issues Discussed in Document:

☐ Aesthetic/Visual

☐ Agricultural Land

☐ Air Quality

☐ Archeological/Historical

☐ Biological Resources

☐ Coastal Zone

☐ Drainage/Absorption

☐ Economic/Jobs

☐ Fiscal

☐ Flood Plain/Flooding

☐ Forest Land/Fire Hazard

☐ Geologic/Seismic

☐ Minerals

☐ Noise

☐ Population/Housing Balance

☐ Public Services/Facilities

☐ Recreation/Parks

☐ Schools/Universities

☐ Septic Systems

☐ Sewer Capacity

☐ Soil Erosion/Compaction/Grading

☐ Solid Waste

☐ Toxic/Hazardous

☐ Traffic/Circulation

☐ Vegetation

☐ Water Quality

☐ Water Supply/Groundwater

☐ Wetland/Riparian

☐ Growth Inducement

☐ Land Use

☐ Cumulative Effects

☒ Other: All

Present Land Use/Zoning/General Plan Designation:

All General Plan Designations and Zoning Districts

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

The City of Desert Hot Springs has prepared an update of its General Plan, to establish a vision and policies to shape and manage long term growth in the Desert Hot Springs "Planning Area." The Planning Area includes areas within the City boundaries of Desert Hot Springs as well as areas within the City's Sphere of Influence. The proposed General Plan Update is a long-range planning program to guide the growth and development of the Desert Hot Springs Planning Area through 2040.

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

Revised 2010

Reviewing Agencies Checklist

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

<input checked="" type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input checked="" type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District # 8	<input checked="" type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # 7
<input type="checkbox"/> Caltrans Planning	<input checked="" type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input checked="" type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input checked="" type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input checked="" type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # 6	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input checked="" type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	Other: _____
<input type="checkbox"/> Housing & Community Development	Other: _____
<input checked="" type="checkbox"/> Native American Heritage Commission	

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

Starting Date February 14, 2020 Ending Date April 1st, 2020

Lead Agency (Complete if applicable):

Consulting Firm: <u>MIG, Inc.</u>	Applicant: <u>City of Desert Hot Springs</u>
Address: <u>537 S. Raymond Avenue</u>	Address: <u>11-999 Palm Dr.</u>
City/State/Zip: <u>Pasadena, CA 91105</u>	City/State/Zip: <u>Desert Hot Springs, CA 92240</u>
Contact: <u>Jose Rodriguez</u>	Phone: <u>(760) 329-6411 Ext. 240</u>
Phone: <u>626.744.9872</u>	

Signature of Lead Agency Representative: Rebecca Lemines Date: _____

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

Revised 2010

Notice of Availability



City of Desert Hot Springs Notice of Availability:
Draft Environmental Impact Report (DEIR) for the City of Desert Hot Springs
General Plan Update Draft EIR

The City of Desert Hot Springs has prepared a Draft EIR that analyzes the potential environmental impacts associated with the adoption and long-term implementation of the General Plan Update (GPU). The GPU is organized to address the requirements of California Government Code Sections 65450 through 65457. The Draft EIR includes an analysis of potential environmental impacts associated with implementation of the GPU. Program-level analysis was conducted for the GPU as a whole to account for the broad, cumulative impacts that may occur due to the anticipated, collective redevelopment of the Planning Area. The programmatic analysis focused on the long-term changes that the GPU implies and how those changes can be accommodated to minimize the impacts of land use decisions on the physical environment. The program-level analysis in the EIR is analogous with the cumulative impact analysis required by CEQA.

The City of Desert Hot Springs is in the northwestern portion of the Coachella Valley, north of the City of Palm Springs and south of the unincorporated community of Morongo Valley in San Bernardino County. The City is a few miles south of the Riverside County/San Bernardino County boundary. The City is located near the interchange of the I-10 freeway and SR-62 highway. The San Bernardino and Little San Bernardino Mountains bound the City on the west and north while the San Jacinto and Santa Rosa Mountains lie further to the southwest and south. Joshua Tree National Park is located immediately to the northeast of the City and the Sand to Snow National Monument is located to the north. The Planning Area consists of the corporate boundaries of the City of Desert Hot Springs and its Sphere of Influence (unincorporated Riverside County). The area within the City's corporate boundaries total 30.5 square miles and its Sphere of Influence totals 28.8 square miles for a total Planning Area of 59.3 square miles. The General Plan Update is intended to achieve the land use, transportation, housing, and other goals of the City that reflect the community's growth over the long-term. Table 1 compares 2018 and 2040 land uses for the City of Desert Hot Springs, the Sphere of Influence and the overall Planning Area. The 2040 planning horizon for the Planning Area is estimated at approximately 53,664 dwelling units, 136,402 residents, 20,349,704 building square feet of non-residential uses, and 20,531 jobs. This table shows existing conditions as of 2018 and the projected growth based on the proposed land use plan for a future horizon year of 2040.

Table 1: General Plan Update: Comparison of 2018 and 2040

Area		Dwelling Units			Population	Non-Residential Building Sq. Ft. ²	Employees	Hotel/ Motel Rooms	Students
		SF ¹	MF ²	Total					
City	2018	8,358	3,204	11,562	29,390	2,655,016	4,162	755	6,326
	2040	22,214	12,594	34,808	88,476	13,140,605	14,611	1,652	12,900
	Change	+13,856	+9,390	+23,246	+59,086	+10,485,589	+10,449	+897	+6,574
SOI	2018	7,292	246	7,538	19,160	559,250	1,020	--	763
	2040	18,025	831	18,856	47,926	7,209,099	5,920	--	7,100
	Change	+10,733	+585	+11,318	+28,766	+6,649,849	+4,900	--	+6,337
Planning Area	2018	15,650	3,450	19,100	48,550	3,214,266	5,182	755	7,089
	2040	40,239	13,425	53,664	136,402	20,349,704	20,531	1,652	20,000
	Change	+24,589	+9,975	+34,564	+87,852	+17,135,438	+15,349	+897	+12,911

¹ Single Family

² Multi-Family

The DEIR is available for public review and comment for forty-five (45) days commencing February 14, 2020 and ending **April 1, 2020 at 5:00 pm**. Any person wishing to comment on the Draft EIR may provide written comments to the City during the public review period, care of Rebecca Deming, Community Development Director. The Draft EIR is available at the **Desert Hot Springs City Hall, Community Development Department, 65950 Pierson Blvd, Desert Hot Springs, CA 92240**, and at the Desert Hot Springs Library, 11691 West Dr, Desert Hot Springs, CA 92240. The Draft EIR is also available online at: <https://www.cityofdhs.org/planning-documents>. At this time, no date has been set for a public hearing on the project. For further information on future public hearings please contact Rebecca Deming, Community Development Director, at (760) 329-6411 Ext. 240 or at rdeming@cityofdhs.org.

Draft EIR Notification Mailing List

US Fish & Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92001-4213

Riverside County Health Department
Health Administration Building
4065 County Circle Drive
Riverside, CA 92503

Palm Springs Unified School District
Attn: Superintendent of Schools
150 District Center Drive
Palm Springs, CA 92254

US Army Corps of Engineers
P.O. Box 532711
Los Angeles, CA 90053-2325

Riverside County Planning Department
4080 Lemon Street
Riverside, CA 92502-1629

Verizon
Attn: Engineering Department
295 N. Sunrise Way
Palm Springs, CA 92262

United States Postal Service
66311 Two Bunch Palms
Desert Hot Springs, CA 92240

Riverside County Sheriffs Department
4095 Lemon Street
Riverside, CA 92502

Spectrum
41-725 Cook St.
Palm Desert, CA 92211

Bureau of Land Management
U.S. Dept of Interior
California State Office
2800 Cottage Wat
Sacramento, CA 95825

Riverside County Transit Agency
P.O. Box 59968
Riverside, CA 92517-1968

Desert Valley Disposal
4690 East Mesquite Avenue
Palm Springs, CA 92264

South Coast Air Quality Management
District
Attn: Steve Smith, Program Supervisor
21865 Copley Drive
Diamond Bar, Ca 91765-4178

Riverside County Transportation
Department
Transit Planning Manager
4080 Lemon Street
Riverside, CA 92502-1629

Southern California Edison Company
Local Governmental Affairs
Land Use/Environmental Coordinator
2244 Walnut Grove Avenue
Rosemead, CA 91770

Southern California Association of
Governments
900 Wilshire Blvd, Ste. 1700
Los Angeles, CA 90017

Riverside County Waste Management
Department
Attn: Planning
14310 Frederick Street
Moreno Valley, CA 92553

So. Cal Gas Company
1981 W. Lugonia Avenue
Redlands, CA 92374
Attn: Environmental

Coachella Valley Association of
Governments
73-710 Fred Waring Dr, Suite 200
Palm Desert, CA 92260

Riverside County Environmental Health
4065 County Circle Drive #104
Riverside, CA 92503

Sunline Transit Agency
32505 Harry Oliver Trail
Thousand Palms, CA 92276

Riverside County Clerk and Recorder
P.O. Box 751
Riverside, CA 92502-0751

Mission Springs Water District
66575 Second Street
Desert Hot Springs, CA 92240

Airport Land Use Commission
PO Box 1409
Riverside, CA 92502-1409

Riverside County Flood Control & Water
Conservation District
1995 Market Street
Riverside, CA 92501

Coachella Valley Water District
PO Box 1058
Coachella, CA 92236

The Soboba Band of Luiseno Indians
Attn: Cultural Resources Department
P.O. Box 487
San Jacinto, CA 92581

Riverside County Habitat Conservation
Agency
4080 Lemon Street, 12th Floor
Riverside, CA 92501

California Regional Water Quality
Control Board – Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3339

The Soboba Band of Luiseno Indians
Attn: Chairperson
P.O. Box 487
San Jacinto, CA 92581

Morongo Band of Mission Indians
Tribal Chairman
12700 Pumarra Road
Banning, CA 92618

Cahuilla Band of Indians
Attn: Chairperson
52701 U.S. Highway 371
Anza, CA 92539

Native American Heritage Commission
Cultural and Environmental Department
1550 Harbor Blvd, Ste. 100
West Sacramento, CA 95691

Morongo Band of Mission Indians
Cultural Resource Specialist
12700 Pumarra Road
Banning, CA 92618

Los Coyotes Band of Cahuilla and Cupeno
Indians
Attn: Environmental Director
PO Box 189
Warner Springs, CA 92086

Dept of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd., Ste. C-220
Ontario, CA 91764

Agua Caliente Band of Cahuilla Indians
Director of Tribal Historic Preservation
Office
5401 Dinah Shore Drive
Palm Springs, CA 92264

Los Coyotes Band of Cahuilla and Cupeno
Indians
Attn: Chairperson
PO Box 189
Warner Springs, CA 92086

Diamond Generating Corporation
633 W. 5th St., Ste. 1000
Los Angeles, CA 90071

Agua Caliente Band of Cahuilla Indians
Attn: Chairperson
5401 Dinah Shore Drive
Palm Springs, CA 92264

Romona Band of Cahuilla
Attn: Chairperson
PO Box 391670
Anza, CA 92539

Flinn Fagg, AICP
Director of Planning Services
Planning Department
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Cultural Resources Coordinator
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PO Box 1160
Thermal, CA 92274

Romona Band of Cahuilla
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PO Box 391670
Anza, CA 92539

Pablo Ramirez, Esq.,
Housing Practice Group Director
1040 Iowa Avenue Suite 109
Riverside, CA 92507
United States

Cabazon Band of Mission Indians
Tribal Administration
Attn: Tribal Chairman
84-245 Indio Springs Parkway
Indio, CA 92203

San Fernando Band of Mission Indians
Attn: Chairperson
PO Box 221838
Newhall, CA 91322

Rick Wade, General Manager
Desert Valley Disposal Inc.
4690 East Mesquite Avenue
Palm Springs, CA 92264

Tribal Chairman
Twenty-Nine Palms Band of Mission
Indians
46-200 Harrison Place
Coachella, CA 92236

Santa Rosa Band of Cahuilla Indians
Attn: Chairperson
PO Box 391820
Anza, CA 92539

Yvonne Franco, District Manager
Coachella Valley Resource Conservation
District
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Indio, CA 92201

Tribal Historic Preservation Officer
Twenty-Nine Palms Band of Mission
Indians
46-200 Harrison Place
Coachella, CA 92236

Serrano Nation of Mission Indians
Attn: Chairperson
PO Box 343
Patton, CA 92369

Tammy Martin, Executive Director
Friends of the Desert Mountains
51500 Highway 74
Palm Desert, CA 92260

Cultural Resources Management
Department
San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

Lozeau Drury LLP
Attn: Richard Drury, Komalpreet Toor, and
Hannah Hughes
410 12th Street, Suite 250
Oakland, CA 94607

Irene N. Rodríguez, Executive Director
Cabot's Pueblo Museum
67616 E. Desert View Avenue
Desert Hot Springs, CA 92240

Augustine Band of Cahuilla Mission
Indians
Attn: Chairperson
PO Box 846
Coachella, CA 92236

Wintec Energy, LTD
2045 E. Tahquitz Canyon Way
Palm Springs, CA 92262

David Smith, Park Superintendent,
Joshua Tree National Park
74485 National Park Drive
Twentynine Palms, CA 92277-3597

Public Circulation

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Director of Planning/Building
Planning Department
City of Cathedral City
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234

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Coachella Valley Water District
51501 Tyler Street
P.O. Box 1058
Coachella, CA 92236

Rose Mayes, Executive Director
Fair Housing Council of Riverside County
655 N. Palm Canyon, Suite 202
Palm Springs, CA 92263

Lauren Skiver, Chief Executive
Officer/General Manager
Sunline Transit Agency
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

Larry Singh
Community Program Specialist
Desert Hot Springs Family Resource
Center
14-201 Palm Drive, Suite 108
Desert Hot Springs, CA 92240

Juan C. Perez, TLMA Director
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4080 Lemon St., 14th Floor
P.O. Box 1605
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Coachella Valley Mountains Conservancy
73-710 Fred Waring Drive, Suite 112
Palm Desert, CA 92260

Joaquin Tijerina, Director
Coachella Valley Small Business
Development Center
44-199 Monroe Street, Suite B
Indio, CA 92201

Edison International
Attn: Planning Dept.
287 Tennessee Street
Redlands, Ca 92373

AB-52 Distribution Notification /Consultation

Native American Heritage Commission Native American Contact List Riverside County 4/15/2019

Agua Caliente Band of Cahuilla Indians

Jeff Grubbe, Chairperson
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Phone: (760) 699 - 6800
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Cahuilla

Los Coyotes Band of Cahuilla and Cupeño Indians

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Fax: (760) 782-2730

Cahuilla

Agua Caliente Band of Cahuilla Indians

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Cahuilla

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Cahuilla

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Cahuilla
Serrano

Cabazon Band of Mission Indians

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Cahuilla
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Cahuilla Band of Indians

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Cahuilla

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admin@ramonatribes.com

Cahuilla

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed General Plan Update Project, Riverside County.

**Native American Heritage Commission
Native American Contact List
Riverside County
4/15/2019**

Ramona Band of Cahuilla

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Kitanemuk
Vanyume
Tataviam

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Lee Clauss, Director of Cultural
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26569 Community Center Drive
Highland, CA, 92346
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nsn.gov

Cahuilla

Serrano Nation of Mission Indians

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Serrano

Soboba Band of Luiseno Indians

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Luiseno

Soboba Band of Luiseno Indians

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Cahuilla
Luiseno

Torres-Martinez Desert Cahuilla Indians

Michael Mirelez, Cultural
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Cahuilla

Twenty-Nine Palms Band of Mission Indians

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46-200 Harrison Place
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Chemehuevi

Twenty-Nine Palms Band of Mission Indians

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46-200 Harrison Place
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amadrigal@29palmsbomi-nsn.gov

Chemehuevi

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed General Plan Update Project, Riverside County.

August 21, 2019

Agua Caliente Band of Cahuilla Indians
Jeff Grubbe, Chairperson
5401 Dinah Shore Drive
Palm Springs, CA, 92264



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Grubbe:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

This letter serves as the Lead Agency's formal notification, pursuant to PRC 21080.1(d). The project is the adoption of the Desert Hot Springs Housing Element 2013-2021 as an amendment to the General Plan. This Housing Element covers the planning period of October 2013 to October 2021. The Housing Element has been prepared pursuant to the requirements of Government Code Section 65583 identifying and analyzing the City's ability to provide housing. The Housing Element identifies the lands that could accommodate the City's Regional Housing Needs Allocation (RHNA) for the 2013-2021 planning period. The Housing Plan includes programs and policies the City will take to encourage production of housing units that would achieve its RHNA goals. The rezoning of sites is a strategy to address the RHNA consistent with State law, but rezoning is not part of this project. Any rezoning will occur as part of subsequent projects related to the General Plan update and Zoning Code amendment.

The Project occupies USGS Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley (2012) California 7.5 Minute Quadrangles (see Enclosure). The City of Desert Hot Springs is located in the northwestern portion of the Coachella Valley, north of the City of Palm Springs and south of the unincorporated community of Morongo Valley.

If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Deming,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Agua Caliente Band of Cahuilla Indians
Patricia Garcia-Plotkin, Director
5401 Dinah Shore Drive
Palm Springs, CA, 92264



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mrs. Garcia-Plotkin:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Augustine Band of Cahuilla Mission Indians
Amanda Vance, Chairperson
P.O. Box 846
Coachella, CA, 92236



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mrs. Vance:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Deming,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Cabazon Band of Mission Indians
Doug Welmas, Chairperson
84-245 Indio Springs Parkway
Indio, CA, 92203



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Welmas:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Deming,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Cahuilla Band of Indians
Daniel Salgado, Chairperson
52701 U.S. Highway 371
Anza, CA, 92539



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Salgado:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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The Project occupies USGS Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley (2012) California 7.5 Minute Quadrangles (see Enclosure). The City of Desert Hot Springs is located in the northwestern portion of the Coachella Valley, north of the City of Palm Springs and south of the unincorporated community of Morongo Valley.

If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Deming,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Los Coyotes Band of Cahuilla and Cupeño Indians
John Perada, Environmental Director
P. O. Box 189
Warner Springs, CA, 92086



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Perada:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Los Coyotes Band of Cahuilla and Cupeño Indians
Shane Chapparosa, Chairperson
P.O. Box 189
Warner Springs, CA, 92086-0189



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Chapparosa:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Morongo Band of Mission Indians
Robert Martin, Chairperson
12700 Pumarra Road
Banning, CA, 92220



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Martin:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Morongo Band of Mission Indians
Denisa Torres, Cultural Resources Manager
12700 Pumarra Road
Banning, CA, 92220



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mrs. Torres:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Denning
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Ramona Band of Cahuilla
John Gomez, Environmental Coordinator
P. O. Box 391670
Anza, CA, 92539



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Gomez:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Deming,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Ramona Band of Cahuilla
Joseph Hamilton, Chairperson
P.O. Box 391670
Anza, CA, 92539



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Hamilton:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

San Manuel Band of Mission Indians
Lee Clauss, Director of Cultural Resources
26569 Community Center Drive
Highland, CA, 92346



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Clauss:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Deming,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

San Fernando Band of Mission Indians
Donna Yocum, Chairperson
P.O. Box 221838
Newhall, CA, 91322



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mrs. Yocum:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Santa Rosa Band of Cahuilla Indians
Steven Estrada, Chairperson
P.O. Box 391820
Anza, CA, 92539



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Estrada:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Deming,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Soboba Band of Luiseno Indians
Scott Cozart, Chairperson
P. O. Box 487
San Jacinto, CA, 92583



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Cozart:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Serrano Nation of Mission Indians
Goldie Walker, Chairperson
P.O. Box 343
Patton, CA, 92369



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Goldie Walker:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Soboba Band of Luiseno Indians
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487
San Jacinto, CA, 92581



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Ontiveros:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Torres-Martinez Desert Cahuilla Indians
Michael Mirelez, Cultural Resource Coordinator
P.O. Box 1160
Thermal, CA, 92274



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Mirelez:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

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Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Twenty-Nine Palms Band of Mission Indians
Darrell Mike, Chairperson
46200 Harrison Place
Coachella, CA, 92236



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Mike:

As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

This letter serves as the Lead Agency's formal notification, pursuant to PRC 21080.1(d). The project is the adoption of the Desert Hot Springs Housing Element 2013-2021 as an amendment to the General Plan. This Housing Element covers the planning period of October 2013 to October 2021. The Housing Element has been prepared pursuant to the requirements of Government Code Section 65583 identifying and analyzing the City's ability to provide housing. The Housing Element identifies the lands that could accommodate the City's Regional Housing Needs Allocation (RHNA) for the 2013-2021 planning period. The Housing Plan includes programs and policies the City will take to encourage production of housing units that would achieve its RHNA goals. The rezoning of sites is a strategy to address the RHNA consistent with State law, but rezoning is not part of this project. Any rezoning will occur as part of subsequent projects related to the General Plan update and Zoning Code amendment.

The Project occupies USGS Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley (2012) California 7.5 Minute Quadrangles (see Enclosure). The City of Desert Hot Springs is located in the northwestern portion of the Coachella Valley, north of the City of Palm Springs and south of the unincorporated community of Morongo Valley.

If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Dending,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

August 21, 2019

Twenty-Nine Palms Band of Mission Indians
Anthony Madrigal, Tribal Historic Preservation Officer
46200 Harrison Place
Coachella, CA, 92236



Subject: AB 52 Notification for the **2013-2021 Housing Element Project**
City of Desert Hot Springs, County of Riverside, California 92240

Dear Mr. Madrigal:


As of July 15, 2015, Public Resources Sections (PRC) 21080.1, 21080.3.1 and 21080.3.2 requires public agencies to consult with California Native American tribes that have submitted a request to be notified of projects in their traditional/cultural use areas for the purpose of mitigating impacts to tribal cultural resources pursuant to California Environmental Quality (CEQA). You are being contacted because the City is in receipt of your formal AB 52 Notification Request: concerning projects located within the tribes traditional and/or cultural use area.

This letter serves as the Lead Agency's formal notification, pursuant to PRC 21080.1(d). The project is the adoption of the Desert Hot Springs Housing Element 2013-2021 as an amendment to the General Plan. This Housing Element covers the planning period of October 2013 to October 2021. The Housing Element has been prepared pursuant to the requirements of Government Code Section 65583 identifying and analyzing the City's ability to provide housing. The Housing Element identifies the lands that could accommodate the City's Regional Housing Needs Allocation (RHNA) for the 2013-2021 planning period. The Housing Plan includes programs and policies the City will take to encourage production of housing units that would achieve its RHNA goals. The rezoning of sites is a strategy to address the RHNA consistent with State law, but rezoning is not part of this project. Any rezoning will occur as part of subsequent projects related to the General Plan update and Zoning Code amendment.

The Project occupies USGS Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley (2012) California 7.5 Minute Quadrangles (see Enclosure). The City of Desert Hot Springs is located in the northwestern portion of the Coachella Valley, north of the City of Palm Springs and south of the unincorporated community of Morongo Valley.

If you would like the City of Desert Hot Springs (Lead Agency) to consult with you regarding this project, please notify the City of Desert Hot Springs Community Development Department, in writing, within thirty (30) days of this notification. Thank you for your assistance in this matter.

Sincerely,


Rebecca Denning,
Community Development Director
(760) 329-6411

Enclosure: USGS 7.5 Minute Quadrangles (Desert Hot Springs, Seven Palms Valley, Whitewater, and Morongo Valley)

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-012-2019-006

October 07, 2019

[VIA EMAIL TO:redeming@cityofdhs.org]
City of Desert Hot Springs
Ms. Rebecca Deming
65-950 Pierson Blvd.
Desert Hot Springs, California 92240

Re: 2013-2021 Housing Element

Dear Ms. Rebecca Deming,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the 2013-2021 Housing Element project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

- *Formal government to government consultation under California Assembly Bill No. 52 (AB-52).

- *Copies of any cultural resource documentation (report and site records) generated in connection with this project.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6956. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Lacy Padilla
Archaeologist
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

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

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-012-2019-001

March 24, 2020

[VIA EMAIL TO:redeming@cityofdhs.org]
City of Desert Hot Springs
Ms. Rebecca Deming
65-950 Pierson Blvd.
Desert Hot Springs, California 92240

Re: City of Desert Hot Springs General Plan Update

Dear Ms. Rebecca Deming,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the General Plan Update project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

- *At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our AB52 consultation efforts.
- *At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our consultation efforts under SB 18.

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

Cordially,

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

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

October 2, 2019

Attn: Rebecca Deming, Community Development Director
City of Desert Hot Springs
Community Development Department
65950 Pierson Boulevard
Desert Hot Springs, CA 92240



RE: AB 52 Consultation; 2013-2021 Housing Element Project – City of Desert Hot Springs, Riverside County, CA

The Soboba Band of Luiseño Indians has received your notification pursuant under Assembly Bill 52.

Soboba Band of Luiseño Indians is requesting to initiate formal consultation with the City of Desert Hot Springs. A meeting can be scheduled by contacting me via email or phone. All contact information has been included in this letter.

I look forward to hearing from and meeting with you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe", followed by a horizontal line.

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

Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the City of Desert Hot Springs. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.

4/27/2020

MIG, Inc. Mail - Fwd: 2013-2021 Housing Element Project



Cameron Hile <cameronh@migcom.com>

Fwd: 2013-2021 Housing Element Project

1 message

Jose M. Rodriguez <joser@migcom.com>
To: Cameron Hile <cameronh@migcom.com>

Mon, Apr 6, 2020 at 12:37 PM

Jose M. Rodriguez
Project Manager
he/him



PLANNING | DESIGN | COMMUNICATIONS | MANAGEMENT | SCIENCE | TECHNOLOGY

537 S. Raymond Avenue
Pasadena, California 91105 | USA
c 662-508-6852
o 626-744-9872 ext 305
joser@migcom.com
www.migcom.com



----- Forwarded message -----

From: **Rebecca Deming** <rdeming@cityofdhs.org>
Date: Thu, Aug 22, 2019 at 4:32 PM
Subject: Fwd: 2013-2021 Housing Element Project
To: Jose M. Rodriguez <joser@migcom.com>

Rebecca Deming | Community Development Director



Office: (760) 329-6411 ext. 240 Fax: (760) 268-0639
City of Desert Hot Springs
65950 Pierson Boulevard, Desert Hot Springs, CA 92240
www.cityofdhs.org

----- Original message -----

From: **Alexandra McCleary** <Alexandra.McCleary@sanmanuel-nsn.gov>
Date: 8/22/19 4:19 PM (GMT-08:00)
To: Rebecca Deming <rdeming@cityofdhs.org>
Subject: 2013-2021 Housing Element Project

Dear Rebecca Deming,

Thank you for contacting the San Manuel Band of Mission Indians regarding the 2013-2021 Housing Element Project. This project is located outside of Serrano ancestral territory and, as a result, SMBMI will not be requesting consultation under 106 for this undertaking.

<https://mail.google.com/mail/u/0/?ik=8c143abaa&view=pt&search=all&permthid=thread-f%3A1663253236328283818&simpl=msg-f%3A1663253236328283818>

1/2

4/27/2020

MIG, Inc. Mail - Fwd: 2013-2021 Housing Element Project

Regards,

Alexandra McCleary

Tribal Archaeologist

San Manuel Band of Mission Indians

Alexandra McCleary

TRIBAL ARCHAEOLOGIST

O: (909) 864-8933 x502023

M: (909) 633-0054

26569 Community Center Drive Highland CA 92346



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4/27/2020

MIG, Inc. Mail - Fwd: FW: General Plan Update Teleconference



Cameron Hile <cameronh@migcom.com>

Fwd: FW: General Plan Update Teleconference

1 message

Jose M. Rodriguez <joser@migcom.com>
To: Cameron Hile <cameronh@migcom.com>

Mon, Apr 6, 2020 at 12:39 PM

Jose M. Rodriguez
Project Manager
he/him



PLANNING | DESIGN | COMMUNICATIONS | MANAGEMENT | SCIENCE | TECHNOLOGY

537 S. Raymond Avenue
Pasadena, California 91105 | USA
c 562-508-6852
o 626-744-9872 ext 305
joser@migcom.com
www.migcom.com



----- Forwarded message -----

From: **Rebecca Deming** <rdeming@cityofdhs.org>
Date: Thu, Dec 5, 2019 at 11:22 AM
Subject: FW: General Plan Update Teleconference
To: Jose Rodriguez <joser@migcom.com>

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Padilla, Lacy (TRBL)" <lpadilla@aguacaliente.net>
Date: 12/5/19 11:10 AM (GMT-08:00)
To: Rebecca Deming <rdeming@cityofdhs.org>
Subject: RE: General Plan Update Teleconference

Hi Rebecca,

Attached is the two documents with edits.

Thank you,

Lacy Padilla

Archaeologist

Agua Caliente Band of Cahuilla Indians

<https://mail.google.com/mail/u/0/?ik=8c14f3abaa&view=pt&search=all&permthid=thread-f%3A1663253316185351615&simpl=msg-f%3A1663253316185351615>

1/4

4/27/2020

MIG, Inc. Mail - Fwd: FW: General Plan Update Teleconference

5401 Dinah Shore Drive Palm Springs, CA 92264

D: 760-699-6956 | C: 760-333-5222

From: Rebecca Deming [mailto:rdeming@cityofdhs.org]
Sent: Tuesday, December 03, 2019 3:23 PM
To: Padilla, Lacy (TRBL) <lpadilla@aguacaliente.net>
Subject: RE: General Plan Update Teleconference

Thank you.

Rebecca Deming | Community Development Director



Office: (760) 329-6411 ext. 240 Fax: (760) 288-0639

City of Desert Hot Springs

65950 Pierson Boulevard, Desert Hot Springs, CA 92240

www.cityofdhs.org



From: Padilla, Lacy (TRBL) <lpadilla@aguacaliente.net>
Sent: Tuesday, December 3, 2019 3:21 PM
To: Rebecca Deming <rdeming@cityofdhs.org>
Subject: RE: General Plan Update Teleconference

Rebecca,

Thank you for sending the document. Attached is my original response letter.

Thank you,

Lacy Padilla

Archaeologist

Agua Caliente Band of Cahuilla Indians

<https://mail.google.com/mail/u/0/?ik=8c14f3abaa&view=pt&search=all&permthid=thread-f%3A1663253316185351615&siml=msg-f%3A1663253316185351615>

2/4

4/27/2020

MIG, Inc. Mail - Fwd: FW: General Plan Update Teleconference

5401 Dinah Shore Drive Palm Springs, CA 92264

D: 760-699-6956 | C: 760-333-5222

From: Rebecca Deming [mailto:rdeming@cityofdhs.org]
Sent: Tuesday, December 03, 2019 3:04 PM
To: Padilla, Lacy (TRBL) <lpadilla@aguacaliente.net>
Subject: RE: General Plan Update Teleconference

As requested. Attached is the Open Space Element. Please let me know if you need anything else.

Rebecca Deming | Community Development Director



Office: (760) 329-6411 ext. 240 Fax: (760) 288-0639

City of Desert Hot Springs

65950 Pierson Boulevard, Desert Hot Springs, CA 92240

www.cityofdhs.org



From: Padilla, Lacy (TRBL) <lpadilla@aguacaliente.net>
Sent: Tuesday, December 3, 2019 2:11 PM
To: Rebecca Deming <rdeming@cityofdhs.org>
Subject: General Plan Update Teleconference

Hi Rebecca,

I called into the line but it says subscriber is not yet available. Are you available or did you want to reschedule?

Thank you,

Lacy Padilla

Archaeologist

Agua Caliente Band of Cahuilla Indians

<https://mail.google.com/mail/u/0/?ik=8c14f3abaa&view=pt&search=all&permthid=thread-f%3A1663253316185351615&simpl=msg-f%3A1663253316185351615>

3/4


4/27/2020


MIG, Inc. Mail - Fwd: FW: General Plan Update Teleconference

5401 Dinah Shore Drive Palm Springs, CA 92264

D: 760-699-6956 | C: 760-333-5222

2 attachments

 **4.5 Cultural Resources Section 9_3 THPO EDITS.docx**
53K

 **4.18 Tribal Cultural Resources 9_4 THPO EDITS.docx**
34K

4/27/2020

MIG, Inc. Mail - Fwd: FW: GPU Cultural Resources THPO Edits



Cameron Hile <cameronh@migcom.com>

Fwd: FW: GPU Cultural Resources THPO Edits

1 message

Jose M. Rodriguez <joser@migcom.com>
To: Cameron Hile <cameronh@migcom.com>

Mon, Apr 6, 2020 at 12:40 PM

----- Forwarded message -----

From: **Rebecca Deming** <rdeming@cityofdhs.org>
Date: Fri, Feb 14, 2020 at 3:59 PM
Subject: FW: GPU Cultural Resources THPO Edits
To: Jose M. Rodriguez <joser@migcom.com>

Please review these compared to the previous comments.

Rebecca

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Padilla, Lacy (TRBL)" <lpadilla@aguacaliente.net>
Date: 2/14/20 3:43 PM (GMT-08:00)
To: Rebecca Deming <rdeming@cityofdhs.org>
Subject: GPU Cultural Resources THPO Edits

Good Afternoon Rebecca,

Attached is the revised documents with THPO edits. Please let me know if you have any questions.

Thank you,

Lacy Padilla

Archaeologist

Agua Caliente Band of Cahuilla Indians

5401 Dinah Shore Drive Palm Springs, CA 92264

D: 760-699-6956 | C: 760-333-5222

2 attachments

4.5 Cultural Resources_Comments REVISED.docx
50K

4.18 Tribal Cultural Resources_Comments REVISED.docx
35K

<https://mail.google.com/mail/u/0/?ik=8c14f3abaa&view=pt&search=all&permthid=thread-f%3A1663253418697317512&simpl=msg-f%3A1663253418697317512>

1/2



1650 Spruce St, Suite 102 | Riverside, CA 92507

951-787-9222 | www.migcom.com