

“Exhibit A”

FINAL

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

for the

Palm Springs High School

Seismic Upgrades and Modernization Improvements

SCH No. 2019109008

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List of Acronyms

AB	Assembly Bill
ACBCI	Agua Caliente Band of Cahuilla Indians
CARB	California Air Resources Board
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CTE	Career Technical Education
FAA	Federal Aviation Administration
IS	Initial Study
MLD	Most Like Descendent
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
NOI	Notice of Intent
PSHS	Palm Springs High School
RCALUC	Riverside County Airport Land Use Commission
TCR	Tribal Cultural Resource

1.0 INTRODUCTION

1.1 PURPOSE

This Final Initial Study (IS) and Mitigated Negative Declaration (MND; together, IS/MND) has been prepared for the proposed seismic upgrades and modernization improvements on the Palm Springs High School (PSHS) campus (proposed Project)) in accordance with the requirements of the California Environmental Quality Act (CEQA)¹ and the State CEQA Guidelines, Sections 15070 to 15075.² The Palm Springs Unified School District (District) is acting as the Lead Agency as defined by CEQA for the environmental review of the proposed Project.

1.2 DESCRIPTION OF THE PROPOSED PROJECT

The District is proposing is proposing to implement various seismic upgrades and modernization improvements on the PSHS campus. Of those buildings that would undergo seismic upgrades and modernization improvements as part of the proposed Project include the: (1) library; (2) gymnasium; and (3) cafeteria. The proposed Project would include the renovation of these 3 buildings to meet current seismic standards modernization improvements, as well as the construction of a new 7,400-square-foot mini-gym within the cafeteria and the addition of a 1,950-square-foot lobby on the northeast corner of the gymnasium. Lastly, the proposed Project would involve various hardscape and landscaping improvements across the PSHS campus to improve existing drainage conditions. Implementation of the proposed Project would provide the PSHS campus with a range of upgraded and modern facilities that meet current standards.

A full description of the proposed Project is provided in the Draft IS/MND, which is provided as **Appendix A** to this Final IS/MND.

1.3 PUBLIC REVIEW PROCESS

On October 3, 2019, the District circulated a Notice of Intent (NOI) (see **Appendix B**) of the IS/MND for a 30-day review and comment period by the public and responsible and reviewing agencies. The review period ended on November 1, 2019 and the District accepted comments through November 4, 2019.

1 California Code of Regulations (CCR), sec. 21000 et seq.

2 CCR sec. 15070–15075, State CEQA Guidelines.

The Final IS/MND and Draft IS/MND are available for review at the District's office, located at 150 District Center Drive, Palm Springs, CA 92264, and on the District's website at:

<https://www.psusd.us/>

The MND, when combined with the Draft IS, constitutes the complete environmental review document for the proposed Project to be considered by the District's Board of Education, as the decision-making body, before it makes its decision on the proposed Project. State CEQA Guidelines³ require that the Lead Agency consider the IS together with any comments received during the public review prior to approving a project. The decision-making body shall adopt the IS/MND only if it finds, on the basis of the whole record before it (including the IS and any comments received), that there is no substantial evidence that the Project will have a significant effect on the environment and that the IS/MND reflects the Lead Agency's independent judgment and analysis.

Additionally, the State CEQA Guidelines⁴ require that the Lead Agency adopt a mitigation monitoring program for reporting on or monitoring of the physical changes of the project site and mitigating significant environmental effects.

1.4 AB 52 CONSULTATION

In accordance with Assembly Bill (AB) 52, the District provided notification to two California Native American tribes requesting consultation (pursuant to Public Resources Code Section 21080.3.1). Pursuant to this requirement, the District notified the tribes (Agua Caliente Band of Cahuilla Indians and the Torres-Martinez Desert Cahuilla Indians) that have requested notification of the proposed Project under AB 52 (see Appendix G: AB 52 Tribal Consultation Letters of the Draft IS/MND, which is located in **Appendix A** of this Final IS/MND). The letters notifying the tribes were issued on September 11, 2019 and delivered by September 16, 2019; the 30-day consultation period to respond to the District identifying any potential tribal cultural resources (TCRs) of concern concluded on October 16, 2019. The District only received correspondence from the Agua Caliente Band of Cahuilla Indians (ACBCI), who indicated in their letter dated October 14, 2019, that the proposed Project is not located within the boundaries of their Reservation. The Torres-Martinez Desert Cahuilla Indians did not provide a response to the District identifying any potential TCRs of concern within the 30-day requested consultation period.

3 CCR sec. 15074(b), State CEQA Guidelines.

4 CCR sec. 15074(d), State CEQA Guidelines.

1.5 ORGANIZATION OF THE FINAL IS/MND

As required by the State CEQA Guidelines, the Final IS/MND consists of the following elements:

- Comments received from reviewing agencies on the Draft IS during the public review process and responses to those comments (see **Section 2.0**).
- A Mitigation Monitoring and Reporting Program (MMRP), which provides a summary of impacts, mitigation measures, and implementation procedures (see **Section 3.0**).
- The Draft IS and NOI, (see **Appendix A** and **Appendix B**, respectively). A compact disc containing these documents is attached to this Final IS/MND on the inside back cover.

2.0 RESPONSES TO WRITTEN COMMENTS ON THE DRAFT IS/MND

The State CEQA Guidelines⁵ require that the decision-making body of the Lead Agency consider the proposed IS/MND together with any comments received during the public review process prior to approving a project.

The following comment letters were received regarding the Draft IS/MND:

- State Clearinghouse, dated November 4, 2019
- Riverside County Airport Land Use Commission (RCALUC), dated October 8, 2019
- Agua Caliente Band of Cahuilla Indians (ACBCI), dated October 14, 2019
- SunLine Transit Agency, dated October 22, 2019

5 CCR sec. 15074(b), State CEQA Guidelines.

Comment Letter No. 1: State Clearinghouse, Scott Morgan, November 4, 2019 (p. 1 of 1)

COMMENT LETTER NO. 1:

Scott Morgan, Director
State Clearinghouse
Governor's Office of Planning and Research
1400 Tenth Street
P.O. Box 3044
Sacramento, CA 95812-3044

Comment 1-1:

The comment indicates that the comment period for the Draft IS/MND for the proposed Project closed on November 1, 2019, with no State agencies having submitted comments by that date. The letter acknowledges that the District complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA.

Response 1-1:

The comment is noted for the record and no further response is required in this Final IS/MND.

Comment Letter No. 2: Riverside County Airport Land Use Commission, Paul Rull, October 8, 2019 (p. 1 of 3)

Comment Letter No. 2: Riverside County Airport Land Use Commission, Paul Rull, October 8, 2019 (p. 2 of 2)

COMMENT LETTER NO. 2:

Paul Rull, ALUC Principal Planner
Riverside County Airport Land Use Commission
4080 Lemon Street, 14th Floor
Riverside, CA 92501

Comment 2-1:

The comment indicates that the RCALUC has no comments on the IS/MND as the Project site is located outside the Palm Springs International Airport influence area.

Response 2-1:

As discussed in Section 5.9: Hazards and Hazardous Materials of the Draft IS/MND, the Project site is located approximately 0.7 miles southwest of the Palm Springs International Airport. The proposed Project would implement various modernization improvements to the existing PSHS campus. This comment is noted for the record and is included in this Final IS/MND for review and consideration by the Board.

Comment 2-2:

The comment states that while the Project site is not within the airport influence area, the District should verify that the proposed improvements would not exceed the Federal Aviation Administration (FAA) notification threshold for obstacle obstruction.

Response 2-2:

The proposed Project would implement various seismic upgrades and modernization improvements on the PSHS campus, which would also include the addition of a new mini-gym to the existing cafeteria and a new lobby along the northwest corner of the existing gymnasium. These building additions would be of similar height and scale of the existing buildings on the PSHS campus, at a maximum height of approximately 35 feet. As these improvements would not represent a substantial change in the physical arrangement of buildings and structures across the Project site, the proposed Project is not anticipated to obstruct or alter the navigable airspace associated with the Palm Spring International Airport.

However, as recommended by the comment, the District further reviewed the FAA's Obstruction Evaluation/Airport Airspace Analysis, which is administered by Title 14 of the Code of Federal Regulations Part 77.⁶ Based on the proximity of the proposed Project to the Palm Springs International Airport, the District will be required to file Form 7460-1, Notice of Proposed Construction or Alteration with the FAA prior to implementation of the proposed Project.

6 Federal Aviation Administration, "Obstruction Evaluation/Airport Airspace Analysis," accessed November 2019, <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

Comment 2-3:

The comment states that the FAA is the authority to make the determination that new buildings will not have a hazard.

Response 2-3:

The District acknowledges this comment and will consult with the FAA to ensure the proposed Project would not obstruct or alter the navigable airspace through filing of Form 7460-1, Notice of Proposed Construction or Alteration.

Comment Letter No. 2: Agua Caliente Band of Cahuilla Indians, Lacy Padilla, October 14, 2019 (p. 1 of 1)

COMMENT LETTER NO. 3:

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

Comment 3-1:

The comment indicates that the Project site is not located within the boundaries of the ACBCI Reservation. The comment requests that the District inform the ACBCI Tribal Historic Preservation Office if the scope of the proposed Project changes.

Response 3-1:

As discussed in Draft IS/MND, as well as in **Section 1.0** of this Final IS/MND, the District provided notification to the ACBCI in accordance with AB 52. The letter notifying the ACBCI was issued on September 11, 2019 for a 30-day consultation period concluding on October 16, 2019 to respond to the District identifying any potential TCRs of concern. The District received a response from ACBCI, dated October 14, 2019, provided herein as Comment Letter No. 3. As indicated in the comment, the proposed Project is not located within the boundaries of their Reservation. Nonetheless, the District still identifies **Mitigation Measures TCR-1** to reduce impacts related to the potential to unearth undocumented archaeological and tribal cultural resources, of which the Tribe concurs. This comment is noted for the record and is included in this Final IS/MND for review and consideration by the Board.

Comment Letter No. 4: SunLine Transit Agency, John Nason, October 22, 2019 (p. 1 of 1)

COMMENT LETTER NO. 4:

John Nason, Chief Operating Officer
SunLine Transit Agency
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

Comment 4-1:

The comment states that SunLine operates a fixed route service along Baristo Road and Farrell Drive with transit service provided in the Project area.

Response 4-1:

The District acknowledges that SunLine provides transit service within the Project area, with fixed route service located along Baristo Road and Farrell Drive, which border the northern and eastern boundaries of the Project site, respectively. This comment is noted for the record and is included in this Final IS/MND for review and consideration by the Board.

Comment 4-2:

The comment states that the proposed Project may impact transit services. SunLine requests that the District, in conjunction with the City of Palm Springs, work with SunLine on the issue related to impacts to existing bus stops.

Response 4-2:

As stated in Section 5.17: Transportation of the Draft IS/MND found in **Appendix A** of this Final IS/MND, improvements proposed by the Project would occur within the interior of the PSHS campus. Thus, there are no proposed circulation or roadway improvements that would affect bus stops or shelters utilized by SunLine. Since the proposed Project would not result in any changes to the roadway system, current bus routes would remain the same. This comment is noted for the record and is included in this Final IS/MND for review and consideration by the Board.

Comment 4-3:

The comment requests that the construction contractor contact SunLine 30 days in advance of commencement of construction activity on the Project.

Response 4-3:

The District, or its designee, will notify SunLine prior to start of construction of the proposed Project, as needed. The comment is noted for the record and no further response is required in this Final IS/MND.