

Colorado River Basin Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: June 6, 2017

Program Type: Fill/Excavation

Project Type: Bridges, Overpasses and Crossings

Project: South Palm Canyon Bridge Drive Bridge Replacement at the Tahquitz Creek Channel (Project)

Applicant: City of Palm Springs

Applicant Contact: Savat Khamphou
City of Palm Springs (Engineering Design)
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Palm Springs, CA 92262
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Reg. Meas. ID:	411311
Place ID:	831557
WDID:	7A333167001
USACOE#:	NWP 14 Non-reporting

Water Board Contact Person:

If you have any questions, please call Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) Staff listed above or (760) 346-7491 and ask to speak with the Water Quality Certification and Wetlands Unit Program Manager.

- Attachment A** Maps
- Attachment B** Receiving Waters, Impact, and Mitigation Information
- Attachment C** CEQA Findings of Facts
- Attachment D** Signatory Requirements

I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of City of Palm Springs (herein after Permittee) for the Project. This Order is for the purpose described in application and supplemental information submitted by the Permittee. The application was received on February 21, 2017. The application was deemed complete on March 20, 2017

II. Public Notice

Public Notice (1-12-2017) was done on January 12, 2017 and completed on March 1, 2017.

III. Project Description

The proposed project will replace the existing structurally deficient bridge (State Bridge No. 56C0408) on South Palm Canyon Drive at the Tahquitz Creek Channel with a new bridge. The project will also improve traffic circulation by correcting an existing bottle-neck effect that occurs at the bridge.

IV. Project Description

The proposed project will replace the existing structurally deficient bridge (State Bridge No. 56C0408) on South Palm Canyon Drive at the Tahquitz Creek Channel with a new bridge. The project is located in the City of Palm Springs on South Palm Canyon Drive south of the intersection of East Sunny Dunes Road.

The proposed cross section for the new replacement bridge will be sufficiently wide to support a median, two standard twelve-foot wide lanes in each direction, a shoulder that can accommodate a Class II bike lane and an Americans with Disabilities Act (ADA) compliant sidewalk on both sides. The proposed roadway improvements consist of providing horizontal transitions from the proposed bridge section to the existing South Palm Canyon Drive street sections. The new bridge will provide sufficient vertical clearance below the soffit to accommodate a multi-purpose trail underpass for the on-going planning of Coachella Valley Association of Governments (CVAG) CV-Link trail along the Tahquitz Creek Channel. The project will improve traffic circulation on South Palm Canyon Drive by providing a consistent roadway and sidewalk section along the project area, improve the Tahquitz Creek Channel capacity by providing a larger and consistent channel section under the bridge, and remove the bridge from the federal Eligible Bridge List. The work period is approximately 18 months.

V. Project Location

The South Palm Canyon Bridge replacement extends approximately 60 feet and is located between Sunny Dunes Road and Mesquite Avenue. The overall project boundary and any subject disturbance within the Tahquitz Creek Channel occur within the jurisdictions of the City of Palm Springs.

Longitude/ Latitude: E33°48'43.6"/N116°32'40.5"

Maps showing the Project location are found in Attachment A of this Order.

VI. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of Colorado River Basin Regional Water Quality Control Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the applicable Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) for the Colorado River Basin Region and other plans and policies which may be accessed online at:

http://www.waterboards.ca.gov/plans_policies/. Project impact and receiving waters information can be found in Attachment B. Tahquitz Creek Channel to Whitewater River is the receiving water.

The Basin Plan was prepared by the California Regional Water Quality Control Board, Colorado River Basin Region, in accordance with criteria contained in the California Porter-Cologne Water Quality Control Act, the Federal Clean Water Act, and other pertinent state and federal rules and regulations. It includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal anti-degradation policies.

VII. Description of Direct Impacts to Waters of the U.S.

Construction of the proposed project would result in less than 0.026 acres (Temporary Streambed unvegetated).

Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition only.

Table 1: Total Project Fill/Excavation Quantity									
Aquatic Resource Type	Temporary Impact¹			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY ²	LF	Acres	CY	LF	Acres	CY	LF
Lake									
Ocean/bay/estuary									
Riparian Zone									
Stream Channel	0.026		195						
Vernal Pool									
Wetland									

VIII. Description of Indirect Impacts to Waters of the State

The Colorado River Basin Water Board recognizes the potential for indirect impacts to waters of the state associated with the Project. The proposed bridge will be single span, just like the current bridge. There will be no structural support placed in the channel as part of this project. Construction will probably require shoring supports in the channel during construction causing temporary impacts but there will be no new permanent impacts to the channel bottom. Excavations within waters of the US will be limited to portions of the existing improved side slopes, as shown in Attachment 1.

IX. Avoidance and Minimization

The proposed project is a “Covered Activity” under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Measure A revenues from gasoline taxes are flowing to the Coachella Valley Conservation Commission for the acquisition and management of conservation lands to off-set potential impacts from the subject and other roadway projects. No other mitigation is planned.

City of Palm Springs shall use the following Best Management Practices (BMPs) to minimize impacts during construction:

- Temporary fiber roll
- Temporary construction entrance
- Temporary construction washout facility
- Temporary drainage inlet protection

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

² Cubic Yards (CY); Linear Feet (LF)

Fiber rolls will help stabilize soil adjacent to the unvegetated wash during construction. The temporary construction entrance, washout facility and drainage inlet protection will all minimize the chance of construction related fluids and/or sediment from getting into the unvegetated wash.

Temporary BMP's will be implemented in place to prevent sedimentation from entering the watercourse that may be caused by equipment storage areas if used. The storage areas, if used, will occur on already disturbed highway system land adjacent to rural habitat of the dry stream channel.

Other actions/BMPs will be implemented to avoid and/or minimize impacts to Waters of the U.S., including preservation of habitats, erosion control measures, project scheduling, flow diversions, etc.

X. Compensatory Mitigation

No compensatory mitigation was required for permanent impacts because there would not be permanent impacts to the Waters. Also, the proposed activity is covered under CVMSHCP

XI. California Environmental Quality Act (CEQA)

On April 5, 2017, the City of Palm Springs, as lead agency, adopted an initial study/negative declaration (IS/ND) (State Clearinghouse (SCH) No. [SCH2016121010]) for the Project and filed a Notice of Determination (NOD) at the SCH on April 6, 2017. Pursuant to CEQA, the Colorado River Basin Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment C.

XII. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

XIII. Fees Received

An application fee of \$1,097.00 was received on December 29, 2016. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category E - Low Impact Discharges (fee code 19) with the dredge and fill fee calculator.

XIV. Conditions

The Colorado River Basin Water Board has independently reviewed the record of the Project to analyze impacts to water quality and designated beneficial uses within the

watersheds of the Project. In accordance with this Order, the Permittee may proceed with the Project under the following terms and conditions:

A. Authorizations

- a. No toxic and/or hazardous materials shall be stored near or within wash/drainage areas. To extent possible, these materials will be offsite and/or placed in appropriate secondary containment.
- b. Work shall be performed under “no flow” conditions in the washes to preclude potential impacts to water quality.
- c. Work and staging areas and temporary access routes shall be sized, located and flagged so as to limit potential impacts to natural areas. Previous disturbed areas shall be used to the extent feasible.
- d. No fueling or maintenance of equipment and/or vehicles shall occur adjacent or within the wash/drainage areas.
- e. Spoil sites shall not be located where spoil could be washed back into the river, or where spoil will cover aquatic or riparian vegetation. Any materials placed in seasonally dry portions of the canal/ drainage areas that could be washed downstream or could be harmful to aquatic life shall be removed from the streambed prior to inundation by high flows.
- f. After completing the activities, the disturbed area will be restored to pre-existing contours and conditions to the extent feasible.

B. Reporting and Notification Requirements

1. Project Reporting

- a. **Monthly Reporting:** The Permittee must submit a Monthly Report to the Colorado River Basin Water Board on the 15th of each month for duration of the construction phase (approximately 5 months). Monthly reporting shall continue until the Colorado River Basin Water Board issues a Notice of Project Complete Letter to the Permittee.
- b. **Annual Reporting:** The Permittee shall submit an Annual Report each year on July 17. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Permittee.
- c. **Other Reporting:** The Permittee shall take pictures of the area where repair work needs to take place documenting the before and after conditions of the area; and shall maintain a daily log, for each site where work is taking place pursuant to this Order, while the Permittee conducts its repair activities. The log shall:

- Identify the name of the name/ID and location of the bridge where repair work is being conducted;
- Provide a general description of the repair work;
- Specify the date and daily starting and ending time for the repair work;
- Note key weather conditions (e.g., temperature, wind speed and direction, precipitation if any);
- Include notes from visual observations regarding the presence/absence of construction debris/trash (e.g., discarded filter fiber) and used oil (e.g., oil that leaks from construction equipment) in the area where the work is taken place.

Within 30 days following completion of all repair work, the Permittee shall submit to the Colorado River Basin Water Board a summary report of the key daily log entries. The summary report shall include the above-mentioned before and after pictures of the conditions of the area and shall be signed by the Permittee's Project Manager.

2. Project Status Notifications

- a. Commencement of Construction:** The Permittee shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities.
- b. Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to the Colorado River Basin Water Board staff within thirty (30) days following completion of all Project construction activities. Upon acceptance of the request, Colorado River Basin Water Board staff shall issue a Notice of Completion of Discharges Letter to the Permittee which will end the active discharge period and associated annual fees.
- c. Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete,³ and no further Project activities will occur. This request shall be submitted to Colorado River Basin Water Board staff within thirty (30) days following completion of all Project activities. Upon approval of the request, the Colorado River Basin Water Board staff shall issue a Notice of Project Complete Letter to the Permittee which will end the post discharge monitoring period and associated annual fees.

³ Completion of post-construction monitoring shall be determined by Colorado River Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

3. Conditional Notifications and Reports: The following notifications and reports are required as appropriate.

a. Accidental Discharges of Hazardous Materials⁴

Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):

- i. As soon as (A) Permittee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:
 - first call – 911 (to notify local response agency)
 - then call – Office of Emergency Services (OES) State Warning Center at:
(800) 852-7550 or (916) 845-8911
 - Lastly follow the required OES procedures as set forth in:
[http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill Booklet Feb2014 FINAL BW Acc.pdf](http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill%20Booklet%20Feb2014%20FINAL%20BW%20Acc.pdf)
- ii. Following notification to OES, the Permittee shall notify Colorado River Basin Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- iii. Within five (5) working days of notification to the Colorado River Basin Water Board, the Permittee must submit an Accidental Discharge of Hazardous Material Report.

b. Violation of Compliance with Water Quality Standards: The Permittee shall notify the Colorado River Basin Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

- i. Examples of noncompliance events include: lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete.
- ii. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.

⁴ "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (Health & Saf. Code, § 25501.)

c. In-Water Work

- i. The Permittee shall notify the Colorado River Basin Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.
- ii. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Colorado River Basin Water Board staff.

d. Modifications to Project

Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Colorado River Basin Water Board staff if Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform Colorado River Basin Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order.

e. Transfer of Property Ownership: This Order is not transferable in its entirety or in part to any person or organization except after notice to the Colorado River Basin Water Board in accordance with the following terms:

- i. The Permittee must notify the Colorado River Basin Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership Report. The Permittee and purchaser must sign and date the notification and provide such notification to the Colorado River Basin Water Board at least 10 days prior to the transfer of ownership.
- ii. Until such time as this Order has been modified to name the purchaser as the permittee, the Permittee shall continue to be responsible for all requirements set forth in this Order.

C. Water Quality Monitoring

- 1. General:** If surface water is present, continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete).

The Applicant shall submit a Report to the Colorado River Basin Water Board within 30-days after encountering the pollutants and describe actions taken to correct the problem and provide photographic documentation that supports the information in the Report.

2. **Accidental Discharges/Noncompliance:** Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Colorado River Basin Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

D. Standard

1. This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and California Code of Regulations, title 23, chapter 28, Article 6 commencing with sections 3867-3869, inclusive. Additionally, the Colorado River Basin Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Colorado River Basin Water Board determines that: the Project fails to comply with any of the conditions of this Order; or, when necessary to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) or federal Clean Water Act section 303 (33 U.S.C. § 1313).
2. This Order is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license, unless the pertinent certification application was filed pursuant to subsection 3855(b) of chapter 28, title 23 of the California Code of Regulations, and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.
4. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. For purposes of Clean Water Act, section 401(d), the applicability of any state law authorizing remedies, penalties, processes, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order.

E. General Compliance

1. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control Act and the Clean Water Act. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
2. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Colorado River Basin

Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.

3. In response to a suspected violation of any condition of this Order, the Colorado River Basin Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provide that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.
4. The Permittee must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Order; and all subsequent submittals required as part of this Order. The conditions within this Order and Attachments supersede conflicting provisions within Permittee submittals.
5. This Order and all of its conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.
6. Construction General Permit Requirement: The Permittee shall maintain compliance with conditions described in, and required by, NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ; NPDES No. CAS000002).

F. Administrative

1. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a “take” will result from any act authorized under this Order held by the Permittee, the Permittee must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The Permittee is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.
2. The Permittee shall grant Colorado River Basin Water Board staff or an authorized representative (including an authorized contractor acting as a Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:

- a. Enter upon the Project or compensatory mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records are kept.
 - b. Have access to and copy any records that are kept and are relevant to the Project or the requirements of this Order.
 - c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
 - d. Sample or monitor for the purposes of assuring Order compliance.
3. A copy of this Order shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Order shall remain at the Project site for the duration of this Order. The Permittee shall be responsible for work conducted by its consultants, contractors, and any subcontractors.
4. A copy of this Order must be available at the Project site(s) during construction for review by site personnel and agencies. All personnel performing work on the Project shall be familiar with the content of this Order and its posted location at the Project site.
5. A Project modification shall not be granted a Certification Deviation if it warrants or necessitates changes that are not addressed by the Order conditions or the CEQA environmental document such that the Project impacts are not addressed in the Project's environmental document or the conditions of this Order. In this case a supplemental environmental review and different Order will be required.

XV. Water Quality Certification

I hereby issue the Order for the South Palm Canyon Drive Bridge Replacement over Tahquitz Creek Channel Project, WDID No. 7A333167001 certifying that as long as all of the conditions listed in this Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards).

Except insofar as may be modified by any preceding conditions, all Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; and, (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies, the Regional Water Boards' Water Quality Control Plans and Policies.

for Frank Gray, AEO
Jose L. Angel, P.E.
Executive Officer
Colorado River Basin
Water Quality Control Board

6-1-17
Date

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CALIFORNIA

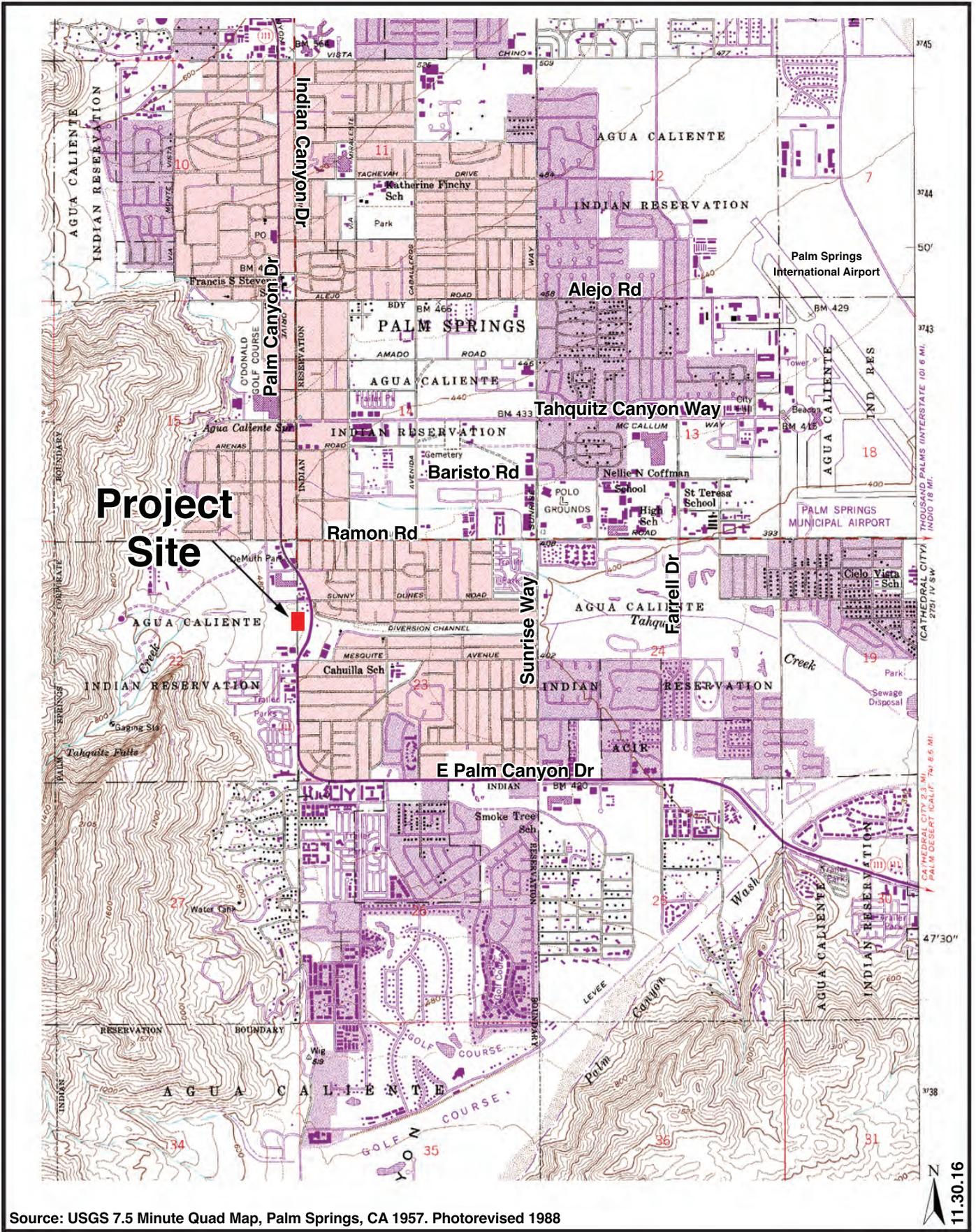
PACIFIC OCEAN

MEXICO



RIVERSIDE COUNTY



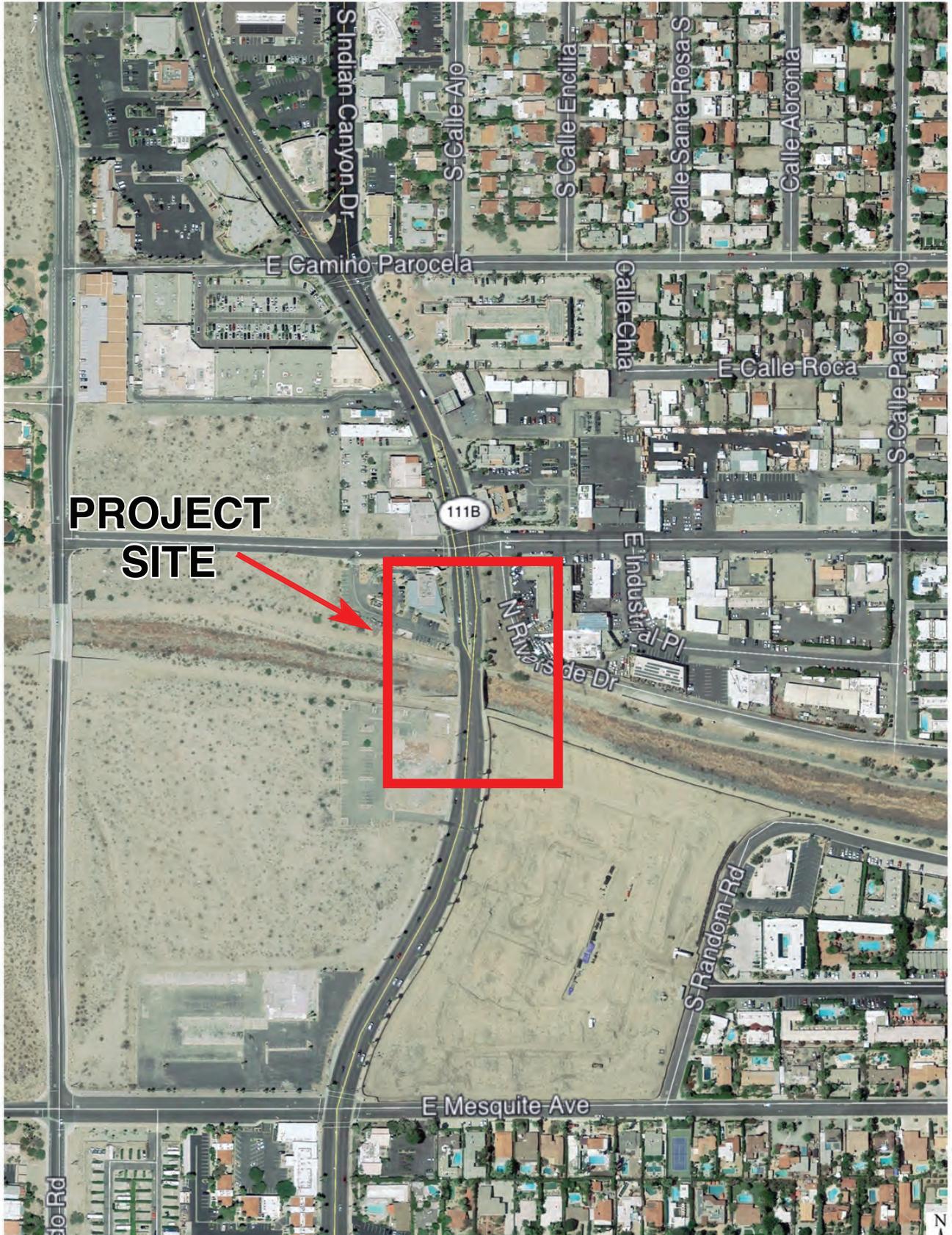


Source: USGS 7.5 Minute Quad Map, Palm Springs, CA 1957. Photorevised 1988

South Palm Canyon Drive Bridge Replacement
Project Vicinity Map
Palm Springs, California

Exhibit





Source: Google Earth, 2016



South Palm Canyon Drive Bridge Replacement
Project Site Aerial
Palm Springs, California

Exhibit

3



11.30.16

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Receiving Waters

The following table shows the receiving waters associated with each impact site.

Table 1: Receiving Water(s) Information								
Non-Federal Waters	Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	eCRAM ID ¹
<input type="checkbox"/>	State Bridge No. 56C0408	Whitewater River	<i>Wetland</i>	<i>Salton Sea Watershed</i>	<i>Salton Sea</i>	<i>Municipal & Domestic Supply; Agricultural Supply; Groundwater Recharge; Water Contact and Non-contact Water Recreation; Cold Freshwater and Wildlife Habitat</i>		

¹ California Rapid Assessment Method (CRAM) score of impacted sites provided by the Permittee.

Individual Direct Impact Locations

The following table shows individual impact locations.

Table 2: Individual Direct Impact Information											
Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation		Direct Impact Duration	Dredge			Fill/Excavation		
			Yes	No		Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
1 State Bridge No. 56C0408	33° 48' 43.6"	116° 32' 40.5"	<input type="checkbox"/>	<input type="checkbox"/>	Temporary				0.026	1,000 CY (Concrete and Rip Rap)	195
					Permanent	0	0	0	0	0	0
2			<input type="checkbox"/>	<input type="checkbox"/>	Temporary						
					Permanent						
					Permanent						
					Permanent						

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A. Environmental Review

On April 5, 2017, the City of Palm Springs, as lead agency, adopted an initial study/mitigated negative declaration (IS/MND) (State Clearinghouse (SCH) No. [2016121010]) for the Project and filed a Notice of Determination (NOD) at the SCH on April 6, 2017. The Colorado River Basin Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its determinations and findings, must presume that the City of Palm Springs's adopted environmental document comports with the requirements of CEQA and is valid. (Pub. Resources Code, § 21167.3.) The Colorado River Basin Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by the City of Palm Springs addresses the Project's water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The environmental document includes the mitigation monitoring and reporting program (MMRP) developed by the City of Palm Springs for all mitigation measures that have been adopted for the Project to reduce potential significant impacts. (Pub. Resources Code, § 21081.6, subd. (a)(1); Cal. Code Regs., tit. 14, § 15074, subd. (d).)

B. Findings

The IS/MND describes the potential significant environmental effects to water resources that were mitigated in the IS/MND. Having considered the whole of the record, the Colorado River Basin Water Board makes the following findings:

- (1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
- (2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15070.)*

C. Determination

The Colorado River Basin Water Board has determined that the Project, when implemented in accordance with the MMRP and the conditions in this Order, will not result in any significant adverse water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd (h).) The Colorado River Basin Water Board will file a NOD with the SCH within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, § 15096, subd. (i).)

Notice of Determination

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(Public/Lead Agency)

County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Subject Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title:

South Palm Canyon Drive Bridge Replacement over the Tahquitz Creek Channel. City Project No. 12-02

State Clearinghouse Number:
(If submitted to Clearinghouse)**Contact Person:****Area Code / Telephone / Extension:**

SCH# 2016121010

Edward Robertson,
Principal Planner

(760) 323-8245

Project Location (include county)

The South Palm Canyon Drive Bridge over the Tahquitz Creek Channel is located approximately 270 feet south of E. Sunny Dunes Road in the City of Palm Springs, within Riverside County. The site is located within the NW ¼ of Section 23, T.4S., R.4E., SBB&M.

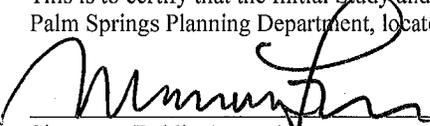
Project Description

The proposed project will result in the replacement of the existing structurally deficient bridge (State Bridge No. 56C0408) on South Palm Canyon Drive at the Tahquitz Creek Channel. The existing bridge has been rated by Caltrans to be structurally deficient primarily because it cannot accommodate current standard vehicular design loads or permit loads. The purpose of the project is to replace the existing structurally deficient bridge with a new wider bridge at the same location to ensure public safety, enhance vehicular and non-motorized traffic circulation in the area, and remove the bridge from the federal Eligible Bridge List. The need for the project is to construct a new bridge that meets current design standards and accommodate the local requirements.

This is to advise that the City of Palm Springs (Lead Agency) has approved the above-described project on April 5, 2017 and has made the following determinations regarding the above-described projects.

1. The project (will will not) have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA
3. Mitigation measures (were were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations (was was not) adopted for the EIR.
5. Findings (were were not) made pursuant to the provisions of CEQA.

This is to certify that the Initial Study and record of project approval is available to the General Public at the City of Palm Springs Planning Department, located at 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262.



Signature (Public Agency)

April 6, 2017

Date

Assistant City Manager/City Engineer

Title

Governor's Office of Planning & Research

APR 10 2017

STATE CLEARINGHOUSE

Attachment D
Signatory Requirements

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SIGNATORY REQUIREMENTS

*All Documents Submitted In Compliance With This Order
Shall Meet The Following Signatory Requirements:*

1. All applications, reports, or information submitted to the Colorado River Basin Water Quality Control Board (Colorado River Basin Water Board) must be signed and certified as follows:
 - a) For a corporation, by a responsible corporate officer of at least the level of vice-president.
 - b) For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c) For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in items 1.a through 1.c above may sign documents if:
 - a) The authorization is made in writing by a person described in items 1.a through 1.c above.
 - b) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c) The written authorization is submitted to the State Water Board Staff Contact prior to submitting any documents listed in item 1 above.
3. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”