

Draft Initial Study and Mitigated Negative Declaration

**Application for Conditional Use Permit
Dos Cabezas Management, LLC
Conditional Use Permit XX-XX**

Prepared for:

City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240



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CHAPTER ONE – INTRODUCTION

1.1 Purpose and Authority

The City of Desert Hot Springs (City) is the Lead Agency under the California Environmental Quality Act (CEQA), and is responsible for carrying out, authorizing, or approving actions that have the potential to adversely affect the environment. The project will require certain discretionary approvals by the City and other governmental agencies. Therefore, the project is subject to environmental review requirements under CEQA.

CEQA requires that the public agency analyze and acknowledge the environmental consequences of their discretionary actions and consider alternatives and mitigation measures that could avoid or reduce significant adverse impacts resulting from the project.

The entire project property occupies approximately 5.03 gross acres of vacant land west of Cabot Road and approximately 330 feet north of 15th Avenue. An approximately 5-acre vacant parcel separates the project site from 15th Avenue. The project proposes the development of a cultivation facility which will include a 10,026-square-foot building for offices, and two 14,994-square-foot greenhouses for the processing and cultivation of cannabis. At build out the total building floor area will be 40,014 square feet.

In addition to the three proposed buildings, the project also proposes two landscaped retention basins (one on the western property boundary and the other east of the proposed greenhouses), 36 parking spaces, internal paved drive aisles, and landscaping throughout. The total area of the retention basins will be 1.26 acres. Vehicular access will be provided from two points on Cabot Road. The eastern portion of the property is designated for flood control and will not be developed. Therefore, the net developable area of the project site is 3.77 acres.

A Conditional Use Permit (CUP) application will be filed as part of the project to provide a detailed development proposal for the cannabis cultivation and processing facility in compliance with Section 5.50 and 17.180 of the Desert Hot Springs Municipal Code. In addition to the CUP, the project will also submit a Design Review Permit (DRP), a Conceptual Landscape Plan, a Tentative Tract Map (TTM) and upon direction from the City, a Specific Plan or Master CUP as part of the entitlement process. The DRP will create a constraints map to establish building footprints in the northeast property corner based on parking and other requirements. The Conceptual Landscape Plan will include plant types, sizes, quantities and locations as required by the City's CUP checklist. Each of the submitted documents will be reviewed by the City of Desert Hot Springs.

This Initial Study and Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resource Code Section 21000 et seq and adopted City Ordinance No. 552 and 553 pertaining to the regulation of Marijuana facilities. Ordinance No. 552 is codified in Chapter 5.50 and Ordinance No. 553 is codified in Chapter 17.180 of the Desert Hot Springs Municipal Code. The City of Desert Hot Springs will serve as the lead agency pursuant to CEQA.

1.2 Determination

This Initial Study determined that development of the proposed cannabis cultivation and processing facility would not have a significant impact on the environment, with the implementation of mitigation measures. A Mitigated Negative Declaration is proposed.

1.3 California Environmental Quality Act (CEQA) Authority to Prepare a Mitigated Negative Declaration

This Draft Mitigated Negative Declaration (DMND) has been prepared by the City of Desert Hot Springs as lead agency and is in conformance with Section 15070, Subsection (a), of the State of California Guidelines for Implementation of the CEQA. The purpose of the DMND and the Initial Study Checklist was to determine whether there were potentially significant impacts associated with the development of the Dos Cabezas Management, LLC Cultivation facility.

1.4 Public Review Process

In accordance with CEQA, a good faith effort has been made during the preparation of this DMND to contact affected agencies, organizations and persons who may have an interest in this project. The MND will be sent to the Riverside County Clerk, responsible agencies, and advertised in The Desert Star Weekly.

CHAPTER TWO – PROJECT DESCRIPTION

2.1 Project Vicinity

The project is located on 5.03 gross acres of undisturbed desert land located on the east of Cabot Road and north of 15th Avenue, in the City of Desert Hot Springs, California.

Total Project Area: 5.03 gross acres; 3.77 net acres

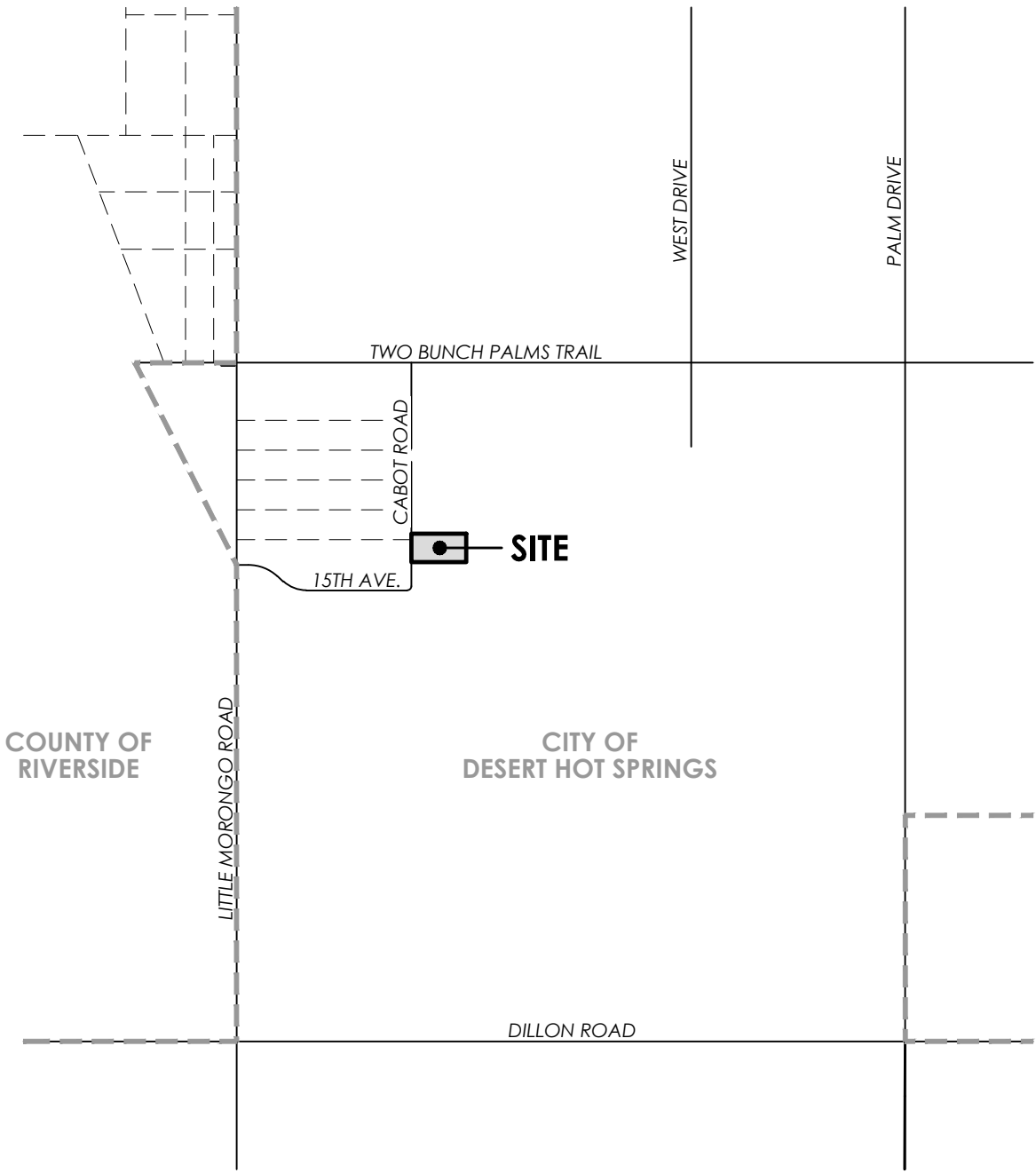
Assessor's Parcel Number: 665-070-003

Section, Township & Range Description or reference:

Northwest ¼ of Section 1, Township 3 South, Range 4 East, San Bernardino Base Line & Meridian.

The 5.03-acre project property consists of vacant desert land and is located on the east of Cabot Road and approximately 330 feet north of 15th Avenue, in the City of Desert Hot Springs. The project site contains slight to moderate amounts of typical desert vegetation (scrub brush and low-lying plants). Topographically, the site drains to the southeast. The site has no street improvements and has street access via Little Morongo Road and Two Bunch Palms Trail, both two-lane paved roads. The southeast corner of the project site lies within the United States Geologic Survey's (USGS) wash area. Immediately east of the property is the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) Morongo Wash Special Provisions Conservation Area (also the Morongo Canyon Conservation Area and biological corridor). Additionally, the Federal Emergency Management Agency (FEMA) stream centerlines are located east of the property boundary. The entire site is within FEMA flood zone AO, and subject to two distinguished flooding conditions, based in part by the east-adjacent Morongo Wash corridor. The majority of the site is subject to flood depths of 1 foot, at a velocity of 4 feet per second. The eastern portion of the site is subject to flood depths of 3 feet at a velocity of 8 feet per second. The proposed limits of development avoid any disturbance within the established flood control easement and mapped wash feature occupying the easternmost parts of the site

The location of the project site is shown below in Exhibits 1 and 2.



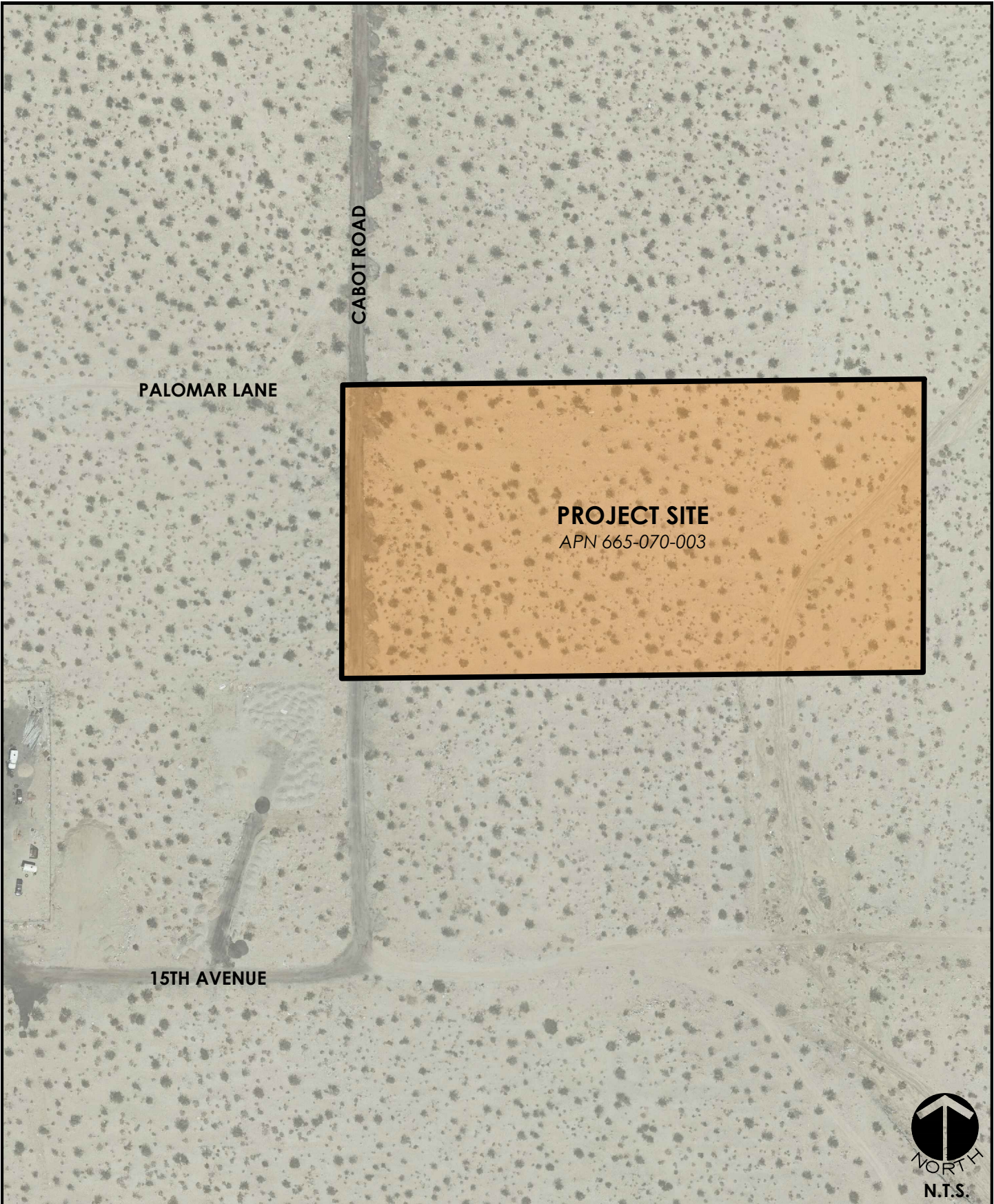
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VICINITY MAP

DOS CABEZAS MANAGEMENT, LLC
 INITIAL STUDY

EXHIBIT
 1



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AERIAL PHOTOGRAPH

DOS CABEZAS MANAGEMENT, LLC
INITIAL STUDY

EXHIBIT

2

2.2 Project Description

The project proposes the development of a cultivation facility on approximately 3.77 net acres of vacant land in the City of Desert Hot Springs. The cultivation facility will include three, one-story buildings for the cultivation and processing of cannabis in accordance to the Desert Hot Springs Municipal Code 5.50 and 17.180. Land use areas are provided in the table below:

Proposed Land Use Areas

Building Use	Area
Gross Area	5.03 acres (219,096 sf)
Net Area	3.77 acres (154,456 sf)
Proposed Buildings	40,014 sf
Proposed Parking Lot	6,364 sf
Proposed Sidewalk	13,383 sf
Proposed Driveway	44,977 sf
Proposed Landscaping	49,718 sf

Project implementation will include the development of a 10,026-square-foot building for offices and the processing of cannabis, and two 14,994-square-foot greenhouses, for a total of a building area of 40,014 square feet (sf) at total buildout. The building areas are further outlined in the table below:

Proposed Building Uses and Areas

Building Use	Room Area	Total Building Area
Proposed Building 1		
Cultivation Room	546 sf	
Clone Room	546 sf	
Break Room	650 sf	
Storage Room	984 sf	
Packing/Manufacturing	984 sf	10,026 sf
Laboratory	987 sf	
Office	999 sf	
Trim Room	1,003 sf	
Hallway	1,690 sf	
Bloom Room	1,736 sf	
Proposed Greenhouse 1	--	14,994 sf
Proposed Greenhouse 2	--	14,994 sf
Total	--	40,014 sf

The eastern 1.26-acre portion of the property is designated for flood control, due to the project's adjacency to the Morongo Wash Corridor and an existing flood control

easement. The proposed limits of development avoid any disturbance within the established flood control easement and mapped wash feature occupying the easternmost parts of the site. That portion of the site will not be developed. The net area of the project site is 3.77 acres.

In addition to the three proposed buildings, the project also proposes two landscaped retention basins, one on the western property boundary and one east of the proposed greenhouses, 36 parking spaces, internal paved drive aisles, and landscaping throughout. Landscaping has been designed to balance aesthetic, water use and security objectives. The project landscape will include large drought-tolerant flowering trees and shrubs typically found in the region, such as Blue Palo Verde, Live Oak, Hybrid Palm, Desert Spoon, Indigo bush, Rosemary, Yellow Bells and Brittlebush. Exterior irrigation will use drip or micro-spray applicators to avoid overwatering and promote water efficiency. The landscaping at the project's frontage will consist of trees, along with low level plantings and fencing to visually enhance, protect and blend the cultivation and processing facility into its surroundings while also promoting visibility by law enforcement vehicles from the street. A Conceptual Landscape Plan will be submitted to the City as part of the entitlement process. This plan will include plant types, sizes, quantities, and locations, which will be reviewed by the City of Desert Hot Springs.

Security measures have been thoroughly incorporated into the project design. The site is proposed to be enclosed within perimeter security fencing. Gated entry/exit drives will control vehicular access onto and off of the property. As a part of the City's regulatory permit phase of the cultivation facility, the project is required to provide a more detailed, comprehensive security plan to the City. This will include specific locations and areas of coverage by security cameras; location of audible interior and exterior alarms; location of exterior lighting; name and contact information of the security company monitoring the site and any additional information required by the City.

Ingress and egress of the project will occur from two access points on Cabot Road. The entry points will be gated to allow any authorized personnel onto the property. This may be accessed by a controlled keyed entry system such as a Knox box for use of police and fire personnel. Cabot Road can be accessed from Two Bunch Palms Trail to the north, and 15th Avenue to the south. To provide proper access to the facility, off-site design and the proposed off-site improvements include street paving on portions of Cabot Road, along the project's frontage. The project will improve Cabot Road to its ultimate condition, including paving, gutter, sidewalk, and landscaped parkway. Final Street Improvement Plans will be reviewed and approved by the City.

Proposed circulation and parking for the proposed facility will be consistent with City parking standards. Off-street parking standards for cannabis cultivation and processing uses are not specifically defined in the City Zoning Code. Therefore, City staff has applied parking ratios for similar uses are utilized including office (1 space per 250 square feet), processing (1 space per 750 square feet) and plant nurseries (1 space per 2,500 square

feet), resulting in a requirement of 27 total parking spaces. The project proposes to provide 36 parking spaces, 4 of which are designated as ADA parking stalls.

The project operations, which includes administration, processing, and cultivation, would be similar to that of a standard wholesale nursery without onsite sales. There will be no general public access to the industrial facilities at any time. Project employees' roles would include oversight, compliance reporting, general cultivation, and processing of the project, which would be conducted within the City's allowed operational hours, occurring between the hours of 8:00 a.m. to 10:00 p.m. up to seven days a week. Security cameras will be monitored and supplemented with onsite security staff to be in full compliance with local ordinances. All staff will be subject to thorough background checks per City regulations. All processing activities will take place within the interiors of the proposed buildings including propagation, curing, processing, potting, transplanting and shipping. Other uses may include extracting oils from the cannabis plants using Fire Department approved CO2 equipment. The finished product will be packaged and loaded onto delivery trucks within secured, enclosed areas of the facilities.

In addition to this Initial Study, the project's entitlements also include a Conditional Use Permit (Municipal Code 17.180.090), a Development Agreement (DA), and, upon the direction of the City, a Specific Plan or a Master CUP. Due to the size of the project, a Specific Plan or Master CUP is not required. The preparation of a Tentative Tract Map (TTM) also required as part of the entitlement process. Approval of these entitlements will render the project in full compliance with City regulations. Moreover, all cannabis cultivation and processing operations and any related activities, such as transportation, manufacturing, and testing, are required to comply with all relevant State laws.

The project site plan is shown subsequently in Exhibit 3.

ASSESSOR PARCEL NUMBER:

A.P.N.: 665-070-003

LEGEND:

219,096 SQ. FT. 5.03 AC GROSS AREA
 154,456 SQ. FT. 3.77 AC NET AREA
 40,014 SQ. FT. PROPOSED BUILDINGS
 6,364 SQ. FT. PROPOSED PARKING LOT
 13,383 SQ. FT. PROPOSED SIDEWALK
 44,977 SQ. FT. PROPOSED DRIVEWAY
 49,718 SQ. FT. PROPOSED LANDSCAPING

OCCUPANCY GROUP--F-1 HEMP PRODUCTS
 PROPOSED OCCUPANCY LOAD 45
 BUILDING TYPE ---- COMMERCIAL M-1
 TYPE CONSTRUCTION ---- V-N
 DESCRIPTION OF THE USE--FACTORY INDUSTRIAL

PARKING CALCULATION:

REQUIRED PARKING STALLS I PER 250 S. F.
 OFFICE BREAKROOMS, RESTROOMS, CONFERENCE ROOMS
 2,249 S. F. 250 S. F. = 9 STALLS

REQUIRED PARKING STALLS I PER 750 S. F.
 PACKING MANUFACTURING ROOMS, LABORATORY.
 2,974 S. F. 750 S. F. = 4 STALLS

REQUIRED PARKING STALLS I PER 2,500 S. F.
 CULTIVATION FLOWERING, CLONE ROOMS, STORAGE ROOM.
 33,400 S. F. 2,500 S. F. = 14 STALLS

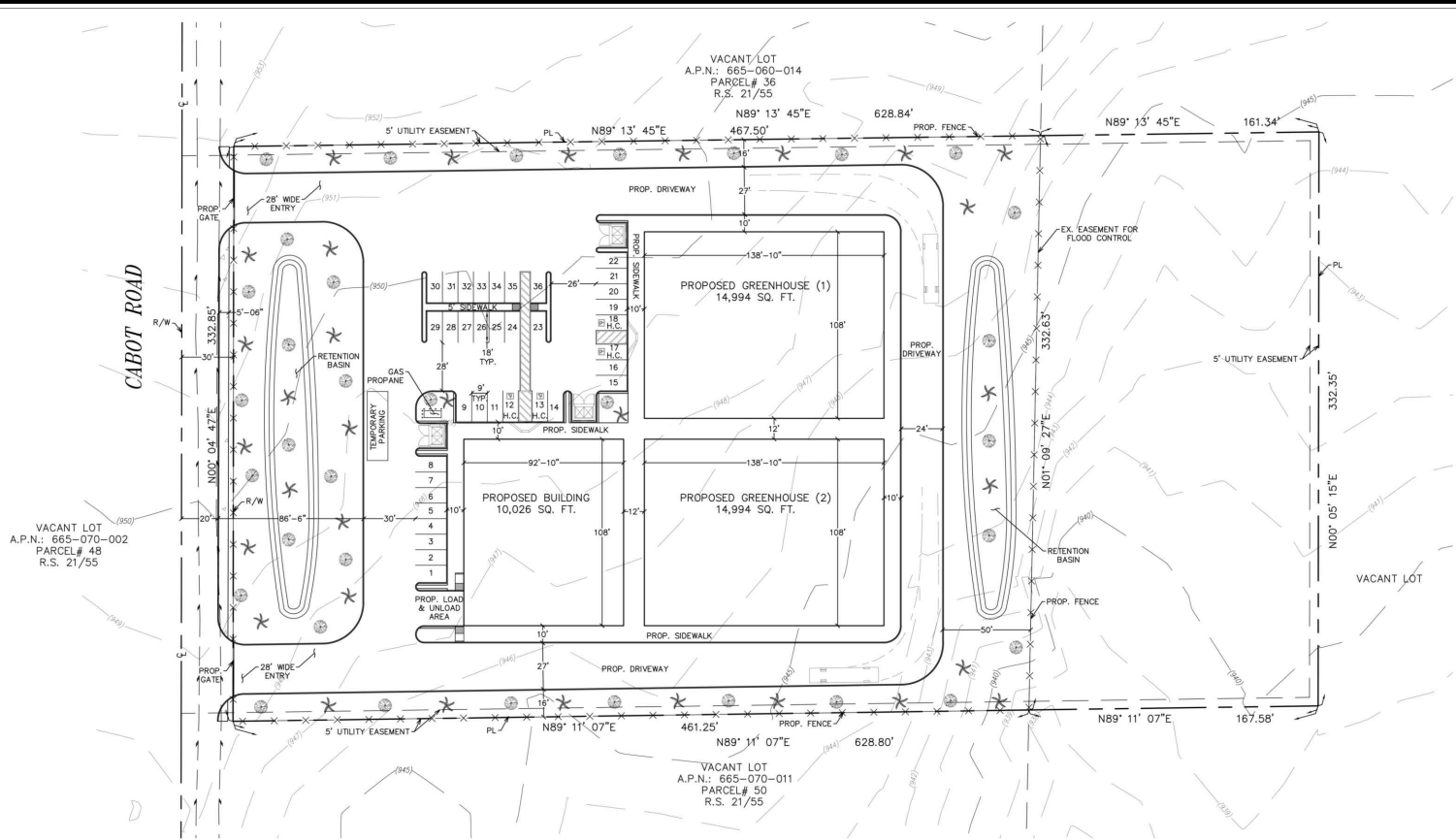
REQUIRED PARKING STALLS 27 STALLS
 PROPOSED PARKING STALLS 38 STALLS

LEGAL DESCRIPTION:

PARCEL 49 OF SUNNY SANDS RANCHOS, UNIT NO. 2, A RECORD OF SURVEY OF THE NORTHWEST QUARTER SECTION 1, TOWNSHIP 3 SOUTH, RANGE 4 EAST, AS RECORDED IN RECORD OF SURVEY BOOK 21 PAGE 55, OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

SHEET INDEX

1. INDEX SHEET / PROP. SITE PLAN.
2. EX. SITE PLAN.
3. PROP. GRADING PLAN.
4. PROP. FLOOR PLAN.
5. PROP. GREEN HOUSE (1) FLOOR PLAN.
6. PROP. GREEN HOUSE (2) FLOOR PLAN.
7. PROP. ELEVATION PLAN.
8. PROP. GREEN HOUSE ELEVATION PLAN.
9. PROP. ROOF PLAN.
10. PROP. GREEN HOUSE ROOF PLAN.
11. PROP. EXTERIOR LIGHTING PLAN.
12. PROP. PHOTOMETRIC PLAN.
13. PROP. LANDSCAPE PLAN.



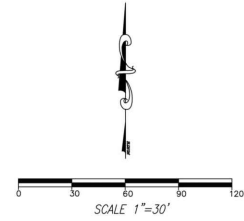
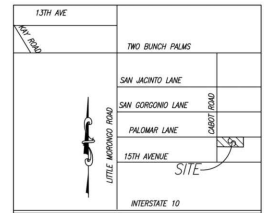
<p>Underground Service Alert</p> <p>Call: TOLL FREE 800-422-4133</p> <p>TWO WORKING DAYS BEFORE YOU DIG</p>	REVISION	
	REVISION	
	REVISION	
	REVISION	

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 DIAMOND BAR, CA 91765
 TELEPHONE: (949)-584-7145

CITY OF DESERT HOT SPRINGS
 INDEX SHEET/PROPOSED SITE PLAN
 CABOT ROAD
 DESERT HOT SPRINGS, CA
 SEC. 1, T. 3 S., R. 4 E., S.B.B.M.

FILE NO. SHEET 1
 OF 13 SHEETS
 DWG. NO. N.T.S.



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PROJECT SITE PLAN
DOS CABEZAS MANAGEMENT, LLC
 INITIAL STUDY

EXHIBIT

3

2.3 Mitigation Monitoring Program

Table 2-1: Mitigation Monitoring Program outlines the potential impacts and mitigation measures of the project and assigns responsibility for the oversight of each mitigation measure. This Table shall be included in all bid documents and included as part of the project development.

**Table 2-1
Mitigation Monitoring Program**

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
IV. Biological Resources	BR-1: To comply with CEQA Guidelines 15125 and/or 15380, the project proponent shall retain a qualified biologist to conduct a spring rare plant survey following the procedures stated in the <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</i> (CDFW, March 20,2018).	Developer Planning Dept Biologist	Prior to grading and other ground disturbing activities	Less than significant
	BR-2: Prior to construction and issuance of any grading permit, the City of Desert Hot Springs shall ensure compliance with the CVMSHCP and its associated Implementing Agreement and shall ensure that payment of the CVMSHCP Local Development Mitigation Fee for the proposed Project is sent to the Coachella Valley Conservation Commission.	Developer Planning Dept	Prior to building permits	Less than significant
	BR-3: The project proponent shall ensure that the Project site design and operations adhere to and incorporate the applicable Land Use Adjacency Guidelines established in the CVMSHCP throughout project approvals and the life of the project. 4.5.1 Drainage Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.	Developer Planning Department	Prior to grading and other ground disturbing activities	Less than significant

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>4.5.2 Toxics Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.</p> <p>4.5.3 Lighting For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.</p> <p>4.5.4 Noise Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.</p> <p>4.5.5 Invasives Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible;</p>			

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>recommended native species are listed in Table 4-112. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.</p> <p>4.5.6 Barriers Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.</p> <p>4.5.7 Grading/Land Development Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.</p>			
	<p>BR-4: The project proponent shall ensure that burrowing owl clearance survey is performed no less than 14 days prior to project site disturbance (grubbing, grading, and construction). If any owls are identified, the most current protocol established by the California Department of Fish and Wildlife (Burrowing Owl Mitigation) must be followed. An additional clearance survey must be undertaken 24 hours before initial site disturbance.</p>	<p>Developer Planning Dept Biological Monitor</p>	<p>Prior to grading and other ground disturbing activities</p>	<p>Less than significant</p>
	<p>BR-5: The project shall retain a qualified avian biologist to conduct a breeding bird survey for nesting migratory birds to comply with the Migratory Bird Treaty Act and Fish and Game Code sections 3503, 3503.5, and 3513.</p>	<p>Developer Planning Dept Biologist</p>	<p>Prior to grading and other ground disturbing activities</p>	<p>Less than significant</p>
<p>V. Cultural Resources</p>	<p>CR-1: The presence of an approved Native American Tribal monitor shall be required during all project related ground disturbing activities. Should any archaeological materials be identified during monitoring of ground-</p>	<p>Planning Department</p>	<p>During grading and other ground</p>	<p>Less than significant</p>

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>disturbing activities the Monitor may temporarily halt and/or redirect construction equipment and activities in the immediate area in order to assess the find, and the Monitor shall notify a qualified archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate if necessary. The preparation of a Monitoring and Treatment Plan for submission to the Agua Caliente Tribal Historic Preservation Office may be necessary. The Monitoring and Treatment Plan shall also be provided to San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) for review and comment. Additionally, the SMBMI shall be contacted regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significant treatment.</p>	Native American Monitor	disturbing activities	
VII. Geology and Soils	<p>GEO-1: A qualified paleontologist shall be retained and present during the first days of monitoring. Once the paleontologist has had a chance to assess the sediments and paleontological potential of the project area, he/she may make a recommendation to reduce the monitoring effort, as appropriate, or continue with full time monitoring. This decision shall be communicated along with the rationalization to the City for their records.</p>	<p>Developer Planning Department Qualified Paleontologist</p>	<p>During grading and other ground disturbing activities</p>	<p>Less than significant</p>
XVII. Tribal Cultural Resources	<p>TCR-1: The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the Agua Caliente Tribal Historic</p>	<p>Developer Planning Department Tribal Monitor</p>	<p>During grading and other ground disturbing activities</p>	<p>Less than significant</p>

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>Preservation Office, and other consulting tribal preservation offices.</p>			
	<p>The following mitigation measures are included in the Standard Environmental / Tribal Mitigation Conditions, provided by the Soboba Band of Luiseno Indians.</p> <p>TCR-2: The applicant/developer shall adhere to all mitigation measures and monitoring program requirements mandated by the City of Desert Hot Springs.</p> <p>TCR-3: If the project involves any ground disturbance, the applicant/developer shall hire a paleontological monitor and shall be responsible for payment of all related expenses. If paleontological resource are encountered, adequate funding shall be provided to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved.</p> <p>TCR-4: The applicant/developer shall provide tribe(s) which have initiated formal consultation under AB 52 the following:</p> <ul style="list-style-type: none"> - Cultural resources inventory of the project area (by a qualified archaeologist) prior to any development activities in the area. - Copy of the records search with associated survey reports and site records from the information center. - Copies of any cultural resource documentation (report and site records) generation in connection 	<p>Developer</p> <p>Planning Department</p> <p>Consulting Tribes</p>	<p>Prior to issuance of grading permits, during grading and other ground disturbing activities</p>	<p>Less than significant</p>

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>with this project.</p> <p>TCR-5: Prior to grading and permit issuance, if there are any changes to project site design and/or proposed grades, the Applicant shall contact the consulting tribes to provide and electronic copy of the revised plans for reviewed. Additional consultation shall occur between the City of Desert Hot Springs, Applicant, and consulting tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the project. The applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City of Desert Hot Springs. In specific circumstances where existing and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resources to a nearby open space or designated location on the property that is not subject to any future development, erosion or flooding.</p> <p>TCR-6: The Developer, the City and the consulting tribe(s) shall develop an archaeological monitoring plan to address details, timing and responsibilities of all archaeological activities that will occur at the project site, when it is determined by either the city or the consulting tribe(s) to be necessary. Details of the plan may include:</p> <ul style="list-style-type: none"> a) Project grading and development scheduling; b) The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes 			

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists;</p> <p>c) The protocols and stipulations that the Developer, City of Desert Hot Springs, the consulting tribes and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;</p> <p>d) Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts.</p> <p>TCR-7: Treatment and Disposition of Cultural Resources: In the event that Native American cultural resources, items of cultural patrimony, or Tribal Cultural Resources are inadvertently discovered during the course of grading for this project.</p> <p>a) Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and</p> <p>b) Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources,</p>			

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Desert Hot Springs with evidence of same:</p> <ul style="list-style-type: none"> <li data-bbox="590 500 1220 764">i. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; <li data-bbox="590 764 1220 1166">ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation: <li data-bbox="590 1166 1220 1401">iii. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Agua Caliente Cultural Museum. 			

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	<p>At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City of Desert Hot Springs documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the consulting tribes and Eastern Information Center and interested tribes.</p>			

CHAPTER THREE – ENVIRONMENTAL CHECKLIST

1. **Project Name:** Dos Cabezas Management, LLC Cultivation Facility
2. **Lead Agency Name and Address:**
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240
3. **Contact Person and Phone Number:**
Patricia Villagomez
Associate Planner
760-329-6411
4. **Project Location:**
See Exhibits 1 and 2
5. **Project Applicants' Name and Address:**
Dos Cabezas Management, LLC
c/o Gino Criscione
1168 Twin Canyon
Diamond Bar, CA 91765
6. **General Plan Designation:** Light Industrial / Open Space Floodway
7. **Zoning Designation:** I-L Light Industrial / OS/FW Open Space Floodways
8. **Description of Project:** The project proposes to construct three buildings for the cultivation and processing of cannabis on approximately 3.77 net acres of vacant land. One building (10,026 square feet) will be designated for offices and processing operations, and two buildings will be designated as greenhouses (14,994 square feet each). At total build-out the building floor area will be 40,014 square feet (sf). Additionally, the project proposes two landscaped retention basins, one on the western property boundary and one east of the proposed greenhouses, 36 parking spaces, internal paved drive aisles, and landscaping throughout. Vehicular access will be provided from two gated access points on Cabot Road. Although the entire property occupies approximately 5.03 gross acres of undeveloped land, the eastern portion of the property is designated for flood control and will not be disturbed. Therefore, the net area of the project site is 3.77 acres.
9. **Surrounding Land Uses and Setting:** The site is surrounded by vacant land to the north, east, south and west. The Cabot Road alignment delineates the western property boundary. The CVMSHCP Morongo Wash Conservation Area lies adjacent to the project's eastern boundary and is also classified as the Morongo Canyon Conservation Area and biological corridor. The southeast corner of the project site lies within the USGS wash area. Additional drainage features, including the USGS hydrology flow lines and FEMA stream centerlines are located east of the project site. Properties north, west and south of the project site are located within the Industrial land use designation, with a cultivation overlay; while properties east of the project are located within the Open Space Floodways land use designation.
10. **Other public agencies whose approval is required (e.g., permits, financing**

approval, or participation agreement.): The project shall require approval from the Mission Springs Water District, the Regional Water Quality Control Board and, prior to construction and grading, the project proponent shall through agency consultation (including but not limited to the City of Desert Hot Springs, Riverside County Flood Control District, Army Corps of Engineers, and California Department of Fish and Wildlife) determine if streambed alteration permits are necessary.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- Aesthetics Agriculture Resources Air Quality Biological Resources
- Cultural Resources Energy Geology / Soils Greenhouse Gases
- Hazards & Haz. Materials Hydrology / Water Quality Land Use / Planning Mineral Resources
- Noise Population / Housing Public Services Recreation
- Transportation Tribal Resources Utilities / Service Systems Wildfire
- Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Senior Planner

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CHAPTER FOUR – DISCUSSION OF ENVIRONMENTAL TOPICS

Issues:

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:
Sources: Desert Hot Springs General Plan, 2020; Desert Hot Springs Municipal Code, accessed 2020;
State Scenic Highway Program, CalTrans, accessed 2020; U.S. Geological Survey Map

- a) Have a substantial adverse effect on a scenic vista?

Discussion:

The project encompasses approximately 5.03 gross acres of undeveloped land situated east of Cabot Road and approximately 330 feet north of 15th Avenue. Currently, the project site is vacant and exhibits a predominantly flat condition with scattered vegetation coverage, associated with the Sonoran creosote bush scrub community. Overall, there are no salient topographic features or other natural visual landmarks on the project site or its general surroundings. The eastern portion of the project site is traversed by the Morongo Wash corridor, as shown on the U.S. Geological Survey (USGS) maps for the project site. The wash was formed by ephemeral/intermittent flows along shallow paths that are distinguished by slope breaks, soil erosion, and vegetative shifts. Overall, the on-site portions of the wash exhibit physical features with a low visibility profile that therefore do not contribute to a unique scenic vista. However, the project site will not develop the eastern portion (1.26) acres of the project property.

The project site lies within the City of Desert Hot Springs's Light Industrial (I-L) land use district. This district provides for business parks and the development of any and all industrial uses operating entirely in enclosed buildings, and those requiring limited screenable outdoor storage. Undeveloped land and light-industrial land uses lie in the project's vicinity. Specifically, the project's north and south boundaries are immediately met by vacant, undeveloped land with a relatively flat topography and scattered vegetation coverage. The eastern boundary is adjoined by the Morongo Wash Special Provisions Area under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The project's western boundary is bordered by Cabot Road. Land on the west side of Cabot Road includes developed and undeveloped industrial lots with a Light Industrial land use designation. Pole-mounted overhead utility lines are present along the property's western street frontage. Cabot Road and other local streets are absent of any light posts or illuminated light signals.

The City of Desert Hot Springs has varying distinguished views of surrounding topographic features and mountain ranges. The perception and uniqueness of scenic vistas and visual character can vary according to location and composition of its surrounding context. The subjective value of views is generally affected by the presence and intensity of neighboring man-made improvements, such as structures, overhead utilities, and landscape, often in relation to the aesthetic quality offered by a natural background, such as open space, mountain ranges, or a landmark feature. The proximity and massing of structures, vegetation, overhead utilities and other visual barriers interact with the visibility of surrounding environments to restrict or enhance local characteristic views. The assessment of scenic value also considers the compatibility of proposed projects in relation to areas, land uses or vantage points where the enjoyment of scenic vistas may exist, such as scenic roads or residential areas. For example, a light industrial facility proposed within an existing industrial land use district and distant from

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Less Than Significant Impact

No Impact

any scenic roadways or residential uses would be expected to result in less impacts compared to a similar facility located near residential uses or adjacent to scenic roads, where the view shed opportunities would potentially be hindered. Existing light industrial development in the City typically consists of metal buildings with low-pitched roofs, and a mass and scale suitable for the zoning district, parcel size, and operation being supported.

The undeveloped project property has distant and relatively unobstructed views of the San Jacinto and Santa Rosa Mountains to the southeast, south and southwest. Views of the Little San Bernardino Mountains are located to the north and are also relatively unobstructed. The project proposes three, one-story buildings for the cultivation and processing of cannabis. The first building will be 10,026 square feet, designated for offices and processing, while the second and third buildings will be 14,994 square feet greenhouses, designated for cultivation. An associated parking lot within a landscaped perimeter and fenced limits will conclude in an overall net acreage of 3.77.

Consistent with the architectural design guidelines established in Chapter 17.16.230 of the City's Municipal Code, the overall architectural character will be that of a well-maintained industrial facility and greenhouses. All architectural plans will require review by the City prior to construction. Proposed downward-oriented lighting mounted on the building walls and on posts will provide the necessary nighttime illumination for facility security in the parking lot and drive aisles. Moreover, the project's design avoids the elements identified by the City as being undesirable. In particular, the project will avoid highly reflective surfaces at the ground story; large blank, unarticulated wall surfaces; exposed, untreated precision block walls and chain link fencing. The proposed perimeter landscaping and fence design will be complimentary to the building elements. The project edges and Cabot Road frontage will be improved with trees as well as low level plantings to visually coordinate with the surrounding desert environment while providing the necessary visibility for law enforcement purposes. The landscaping design will be subject to review and approval by the City of Desert Hot Springs.

As previously mentioned, the project is surrounded by vacant, undeveloped land. The closest use to the project site includes an industrial property approximately 340 feet west of the project. The project will develop three, well-maintained industrial buildings that are not anticipated to adversely alter the existing viewshed on any scenic vistas. Therefore, less than-significant impacts are expected.

Mitigation Measures: None

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Discussion:

As previously discussed in a), the project property consists of relatively flat terrain with dispersed vegetation coverage. Utility posts with overhead lines are found on the project frontage along Cabot Road to the west. The property does not contain any landmarks or scenic resources, such as trees, rock outcroppings, or historic buildings that may be altered or damaged by utilization of the site.

The purpose of the State Scenic Highway Program is to preserve and protect scenic State highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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highways can be officially designated as Scenic Highways or be determined to be eligible for designation. The status of a state scenic highway changes from eligible to “officially designated” when a local jurisdiction adopts a scenic corridor protection program and the California Department of Transportation (Caltrans) approves the designation as a Scenic Highway. The project property is not located adjacent to any existing highway or freeway. The Caltrans status map of scenic highway designations indicates that Highway 62, from north of Interstate 10 to the San Bernardino County line, is considered an Eligible State Scenic Highway, but is not officially designated. The distance between the project and Highway 62 is approximately 4.25 miles.

Furthermore, the project is not located within close proximity to any designated county scenic highway, as identified in the Circulation Element of the Riverside County General Plan Update. Therefore, the proposed cultivation facilities would not result in adverse impacts to scenic resources adjacent to or within close proximity to state scenic highway or other local transportation corridor. Less than significant impacts are expected.

Mitigation Measures: None

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public Views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing the scenic quality?

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Discussion:

In accordance with Chapter 17.16.230 (Industrial Districts) of the Desert Hot Springs Municipal Code, new industrial development is required to employ design elements that enhance the visual character of a site and avoid certain features deemed undesirable. The design guidelines are intended to ensure that the aesthetic quality of proposed industrial facilities, such as this project, surpasses the traditional design approach and characteristics found on past industrial development practices. For example, new industrial facilities are expected to employ “variety in structure forms” to create visual interest and avoid plain features, such as “large blank, unarticulated wall surfaces”, which are deemed less attractive. Entries to industrial facilities should portray a quality appearance while avoiding the use of chain link fencing or barbed wire.

The project design will consist of a 10,026-square-foot building for offices and processing. This building is proposed to be painted green with orange and beige accent colors. Curved lines along the building frontage will create interest and avoid large monotonous building facades. The proposed greenhouse buildings will visually coordinate with the office/processing building, exterior features and landscaping. The heights and setbacks of the proposed facilities will be required to comply with the local standards for industrial development. As such, the building height would be less than the 50-foot maximum and the building placement would comply with the required front, rear and side setbacks. Consistent with the existing land use standards, the proposed cannabis cultivation and processing will only be conducted in the interior of enclosed structures, facilities and buildings. All operations and all cannabis plants at any

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation and processing of cannabis.

In addition to the three proposed buildings, the project also proposes a landscaped retention basin on the western property boundary and east of the proposed greenhouses, 36 parking spaces, internal paved drive aisles, and landscaping throughout. Landscaping has been designed to balance aesthetic, water use and security objectives. The project landscape will include large drought-tolerant flowering trees and shrubs typically found in the region, such as Blue Palo Verde, Live Oak, Hybrid Palm, Desert Spoon, Indigo bush, Rosemary, Yellow Bells and Brittlebush. Exterior irrigation will use drip or micro-spray applicators to avoid overwatering and promote water efficiency. The landscaping at the project’s frontage will consist of trees, along with low level plantings and fencing to visually enhance, protect and blend the cultivation and processing facility into its surroundings while also promoting visibility by law enforcement vehicles from the street. A Conceptual Landscape Plan will be submitted to the City as part of the entitlement process. This plan will include plant types, sizes, quantities, and locations, which will be reviewed by the City of Desert Hot Springs.

On-site improvements also include parking lot facilities and interior drive aisles with downward-oriented light fixtures for nighttime security illumination. The proposed perimeter landscaping throughout the site plan and along the Cabot Road frontage will help enhance the visual character of the streetscape in a manner that is compatible with the local desert environment. The project’s final site design, architecture and landscape architecture will be subject to review and approval by the City of Desert Hot Springs to ensure that aesthetic considerations of the community are addressed in the proposed design. Less than significant impacts are expected.

Mitigation Measures: None

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Discussion:

The project property and its immediate surroundings to the north, east, south and west are currently vacant. Thus, the project property, and the surrounding area, does not contribute to light or glare. The project site, and areas to the north, west and south, lies within the City of Desert Hot Springs’s Light Industrial district. Light Industrial land uses operate during typical business hours and do not constitute existing sources of glare or light. The project will operate within the City’s allowed operational hours, occurring between the hours of 8:00 a.m. to 10:00 p.m. up to seven days a week.

In the local vicinity, existing sources of low-intensity nighttime lighting can be attributed to light industrial structures located approximately 340 feet west of the project site, and approximately 680 feet north of the project site. Lighting from the existing industrial buildings are expected to have some source of nighttime lighting for both operational and security purposes. Additional lighting in industrial areas typically consists of overhead/downward-orienting lamp posts in parking areas, low-intensity, wall-mounted lighting fixtures at building entrances and lamp posts along pedestrian pathways. Cabot Road, Palomar Lane and 15th Avenue does not have public street lighting or illuminated traffic signals. Day-time glare and night-time lighting can be attributed to vehicular traffic on this roadway.

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Consistent with the architectural design guidelines for industrial districts, established in Chapter 17.16.230 of the City's Municipal Code, the proposed buildings include a variety of exterior materials and articulated facades to create an attractive visual character and a quality appearance. The building design includes green buildings, with beige and orange accents. The project will avoid any bright tones, oversized windows, and highly reflective surfaces, such that would result in substantial daytime glare. The proposed combination of exterior materials and surfaces are expected to have partial solar reflectivity. As part of the landscape design, the proposed trees, palms, and other plantings along the project perimeter and frontage are expected to help attenuate the visibility and partial sunlight reflectivity associated with the proposed buildings.

For security purposes, the project will provide varied nighttime lighting to safely illuminate the parking areas, entrances, signs, walkways and other project features in accordance with the City's Outdoor Lighting Requirements. These requirements are established to minimize light pollution and trespassing. Compliance with the City's lighting requirements is demonstrated in the photometric plan, which includes point-by-point lighting levels (measured in foot-candles) for the entire project based on the proposed placement, orientation, and intensity of exterior light fixtures throughout the site. The photometric plan indicates that the proposed distribution of permanent wall-mounted and post-mounted fixtures has been designed, such that illumination is sufficiently diminished at the project edges and adjacent properties. In doing so, unnecessary lighting concentration will not occur since the proposed light fixtures will be oriented downward and away from adjoining properties or the public right-of-way. The proposed lighting is required to allow for face recognition at 100 feet and satisfy the review and considerations raised by the Planning and/or Police Departments.

During the period of construction, the project is expected to utilize temporary light fixtures as a standard measure of nighttime construction site safety. These fixtures are typically installed on posts and/or on the sides of temporary construction trailers to illuminate stored equipment and building materials. These sources of light are generally downward-oriented and some are only activated by motion. The temporary construction perimeter fencing (with wind fabric) is expected to visually screen the temporary light fixtures, therefore preventing temporary light spillage effects. The temporary nature of proposed lighting will allow for adjustments to ensure that illumination is properly distributed without affecting adjoining areas. Less than significant impacts are expected.

Mitigation Measures: None

II. AGRICULTURE RESOURCES – Would the project:

Sources: *California Farmland Mapping and Monitoring Program*, California Department of Conservation, 2016; *Desert Hot Springs General Plan, 2020*; *Williamson Act Program 2015-16 Status Report*, California Department of Conservation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

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Discussion:

The project will not disturb or convert any designated farmland or other form of agricultural resource. The subject property is designated as "Other Land" according to the Important Farmland Map of the most recent (2016) California Farmland Mapping and Monitoring Program. A large portion of the City of Desert Hot Springs is designated as Other Land, which is land not included in any other mapping category. Common examples include low density rural development, brush, timber, wetland and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits and water bodies smaller than 40 acres. Vacant/nonagricultural land surrounded by urban development and greater than 40 acres is mapped as other land. The subject site and surrounding land to the north, east, south and west are not categorized as Prime Farmland, Unique Farmland, or Farmland of local or statewide importance, thus no impacts are expected.

Mitigation Measures: None

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

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Discussion:

The project site is not located in an existing zone for agricultural use or classified as farm land. According to the Williamson Act Program 2015-16 Status Report, no portion of land within a one-mile radius is recognized as being under a Williamson Act Contract. The project will not impact or remove land from the City or County's agricultural zoning or agricultural reserve. No impacts are expected.

Mitigation Measures: None

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

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Discussion:

The project will occur in an existing urban desert setting zoned for industrial uses. No forest land, timberland or Timberland Production zoning occurs on the project site or in the surrounding area because

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are anticipated.

Mitigation Measures: None

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion:

The project will occur in an existing desert setting zoned for industrial uses. No forest land, timberland or Timberland Production zoning occurs on the project site or in the surrounding area because forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are anticipated.

Mitigation Measures: None

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or Conversion of forest land to non-forest land?

Discussion:

The project site and vicinity are designated by the Desert Hot Springs General Plan land use map as Light Industrial (I-L). The proposed indoor cultivation and processing facilities will not result in conversion of any farmland or forest land because no farmland or forest land is situated within or adjacent to the project. No impacts are anticipated.

Mitigation Measures: None

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

Discussion:

Sources: *Final 2016 Air Quality Management Plan (AQMP)*, by SCAQMD, March 2017; *Final 2003 Coachella Valley PM10 State Implementation Plan (CVSIP)*, by SCAQMD, August 2003; *Analysis of the Coachella Valley PM10 Redesignation Request and Maintenance Plan*, by the California Air Resources Board, February 2010; *California Emissions Estimator Model (CalEEMod)*, Version 2016.3.2.

Existing Air Quality Setting and Regulatory Framework:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site and its Coachella Valley regional context are situated within the Riverside County portion of the Salton Sea Air Basin (SSAB), under jurisdiction of the South Coast Air Quality Management District (SCAQMD). Existing air quality in relation to the applicable air quality standards for criteria air pollutants is measured at established air quality monitoring stations throughout the SCAQMD jurisdiction. The three permanent ambient air quality monitoring stations in the Coachella Valley are located in Palm Springs (AQS ID 060655001), Indio (AQS ID 060652002), and Mecca (Saul Martinez - AQS ID 060652005).

To comply with the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), SCAQMD has adopted an Air Quality Management Plan (AQMP), which is updated regularly with strategies to effectively reduce emissions, accommodate growth, and minimize any negative fiscal impacts of air pollution control on the economy. The most current version of the AQMP (2016 AQMP) was released in March of 2017 to continue serving as a regional blueprint for achieving the federal air quality standards. The 2016 AQMP includes the most current strategies to meet the air quality standards and ensure that public health is protected to the maximum extent feasible. It also includes a comprehensive analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures is updated with the latest data and methods. Moreover, 2016 AQMP provides guidance for the State Implementation Plans (SIP) for attainment of the applicable ambient air quality standards.

Particulate Matter (PM10):

As indicated in the 2016 AQMP, the Coachella Valley is currently designated as a serious nonattainment area for PM10 (particulate matter with an aerodynamic diameter of 10 microns or less). In the Coachella Valley, the man-made sources of PM10 are attributed to direct emissions, industrial facilities, and fugitive dust resulting from unpaved roads and construction operations. High-wind natural events are also known contributors of PM10. The Clean Air Act (CAA) requires those states with nonattainment areas to prepare and submit the corresponding State Implementation Plans (SIPs) to demonstrate how these areas will attain the National Ambient Air Quality Standards (NAAQS). The implementation strategies include modeling, rules, regulations, and programs designed to provide the necessary air pollutant emissions reductions.

Pertaining to PM10 attainment, the Final 2003 Coachella Valley PM10 State Implementation Plan (CVSIP) was approved by the U.S. Environmental Protection Agency (EPA) on December 14, 2005. It incorporated updated planning assumptions, fugitive dust source emissions estimates, mobile source emissions estimates, and attainment modeling with control strategies and measure commitments. Some of those measures are reflected in SCAQMD Rules 403 and 403.1, which are enacted to reduce or prevent man-made fugitive dust sources with their associated PM10 emissions. The CVSIP established the controls needed to demonstrate expeditious attainment of the standards such those listed below:

- Additional stabilizing or paving of unpaved surfaces, including parking lots;
- A prohibition on building new unpaved roads;
- Requiring more detailed dust control plans from builders in the valley that specify the use of more aggressive and frequent watering, soil stabilization, wind screens, and phased development (as opposed to mass grading) to minimize fugitive dust;
- Designating a worker to monitor dust control at construction sites; and
- Testing requirements for soil and road surfaces.

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On February 25, 2010, the ARB approved the 2010 Coachella Valley PM10 Maintenance Plan and transmitted it to the U.S. EPA for approval. With the recent data being collected at the Coachella Valley monitoring stations, consideration of high-wind exceptional events, and submittal of a PM10 Re-designation Request and Maintenance Plan, a re-designation to attainment status of the PM10 NAAQS is deemed feasible in the near future according to the 2016 AQMP.

Ozone and Ozone Precursors:

The Coachella Valley portion of the Salton Sea Air Basin (SSAB) is deemed to be in nonattainment for the 1997 8-hour ozone standard. Coachella Valley is unique in its geography due to its location downwind from the South Coast Air Basin (SCAB). As such, when high levels of ozone are formed in the South Coast Air Basin, they are transported to the Coachella Valley. Similarly, when ozone precursors such as nitrogen oxides (NOx) and volatile organic compounds (VOCs) are emitted from mobile sources and stationary sources located in the South Coast Air Basin, they are also transported to the Coachella Valley. It is worth noting that SCAQMD deems that local sources of air pollution generated in the Coachella Valley have a limited impact on ozone levels compared to the transport of ozone precursors generated in SCAB.

The U.S. EPA classifies areas of ozone nonattainment (i.e., Extreme, Severe, Serious, Moderate or Marginal) based on the extent to which an area exceeds the air quality standard for that pollutant. The higher the exceedance level, the more time is allowed to demonstrate attainment in recognition of the greater challenge involved. However, nonattainment areas with the higher classifications are also subject to more stringent requirements. In the 2016 AQMP, the attainment target date for the 1997 8-hour ozone standard was listed as June 15, 2019. However, based on recent data for higher levels of ozone experienced in 2017 and 2018, it was determined that the Coachella Valley region could not practically attain the said standard by the established deadline. Given that additional time is needed to bring the Coachella Valley into attainment of the ozone standard, SCAQMD submitted a formal request to the United States Environmental Protection Agency (U.S. EPA) to reclassify the Coachella Valley from Severe-15 to Extreme nonattainment, with a new attainment date of June 15, 2024. The reclassification ensures that the Coachella Valley will be given the needed extension to make attainment feasible and prevent the imposition of the non-attainment fees on major stationary sources. This process would also require SCAQMD to develop or update the State Implementation Plan (SIP) documentation to demonstrate how the area will meet the standard on or before June 15, 2024.

SCAQMD continues to reduce ozone and improve air quality in the Coachella Valley, in part by providing more than \$50 million in grant funding towards paving dirt roads and parking lots, clean energy projects and cleaner vehicles. Future emission reductions anticipated to occur in the South Coast Air Basin associated with current and planned regulations on mobile and stationary sources are expected to contribute to improvements in ozone air quality in the Coachella Valley and lead to attainment of the standard.

Regional Significance Threshold Criteria:

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of the federal and/or state ambient air quality standards, such as the NAAQS and CAAQS. To assist lead agencies in determining the significance of air quality

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 No Impact

impacts, SCAQMD has established suggested short-term construction-related and long-term operational impact significance thresholds for direct and indirect impacts on air quality. Table III-1 displays the established construction and operational daily significance thresholds to which the air emissions results are measured against. The project-specific construction and operational emissions results are subsequently analyzed and quantified.

**Table III-1
SCAQMD's Air Quality Significance Thresholds (Pounds/Day)**

Emission Source	CO	VOC	NOx	SOx	PM10	PM2.5
Construction or Operation	550	75	100	150	150	55

Source: Air Quality Analysis Guidance Handbook, Chapter 5.
Prepared by the South Coast Air Quality Management District. www.aqmd.gov/ceqa/hndbk.html

Localized Significance Threshold Criteria:

The South Coast Air Quality Management District (SCAQMD) has developed and published the Final Localized Significance Threshold (LST) Methodology to help identify potential impacts that could contribute or cause localized exceedances of the federal and/or state ambient air quality standards (NAAQS/CAAQS). LST methodology was developed in response to environmental justice and health concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities. The purpose of analyzing LSTs is to determine whether a project may generate significant adverse localized air quality impacts in relation to the nearest exposed sensitive receptors, such as schools, churches, residences, hospitals, day care facilities, and elderly care facilities. LST thresholds represent the maximum emissions from a project that will prevent an exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), project, size, and distance to the sensitive receptor. Therefore, meeting the lowest allowable emissions thresholds translates to meeting the most stringent air quality standards for a project locality.

As part of the LST methodology, SCAQMD has divided its jurisdiction into 37 source receptor areas (SRAs) which can be used to determine whether a project may generate significant adverse localized air quality impacts. The proposed development is located in SRA 30, which covers the Coachella Valley and City of Desert Hot Springs. LSTs only apply to certain criteria pollutants: carbon dioxide (CO₂), oxides of nitrogen (NO_x) particulate matter equal to or less than 10 microns in diameter (PM₁₀), and particulate matter equal to or less than 2.5 microns in diameter (PM_{2.5}).

Geographic Information Systems (GIS) mapping analysis was used to delineate the project area and identify the nearest sensitive receptors using the distance intervals established by the LST methodology, which are 25 meters (82 feet), 50 meters (164 feet), 100 meters (328 feet), 200 meters (656 feet), and 500 meters (1,640 feet). The project site is surrounded by completely undeveloped land where residential uses or other sensitive receptor uses are not designated. The nearest school facility to the project is located approximately 0.54 miles (2,851 feet) to the northeast at 14250 West Drive. The nearest existing residential structure is located approximately 0.54 miles (2,851 feet) to the northwest, at the northwest

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corner of Little Morongo Road and Two Bunch Palms. As such, there are no existing nearby sensitive receptors that can be used for LST analysis. Further discussion is subsequently provided.

Air Emissions Methodology:

In November of 2017, the SCAQMD in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the California Emissions Estimator Model™ (CalEEMod™) Version 2016.3.2. CalEEMod serves as an adopted platform to calculate both construction emissions and operational emissions from land use projects. CalEEMod can be used to calculate criteria pollutants and greenhouse gases. CalEEMod utilizes widely accepted methodologies for estimating emissions combined with default data that can be used when site-specific information is not available. Sources of these methodologies and default data include but are not limited to the United States Environmental Protection Agency (USEPA) AP-42 emission factors, California Air Resources Board (CARB) vehicle emission models, studies commissioned by California agencies such as the California Energy Commission (CEC) and CalRecycle. In addition, some local air districts provided customized values for their default data and existing regulation methodologies for use for projects located in their jurisdictions.

Discussion:

Within the existing light industrial land use designation, the proposed development involves cannabis greenhouse and processing buildings with a total floor area of 40,014 square feet and a parking lot paved area of approximately 1.18 acres. As such, the project would be consistent with the conditional use regulations and conditions established by the City. The project would not introduce housing facilities that would directly increase the City’s permanent population or result in growth that would substantially change the City’s land use composition and associated growth assumptions factored into the regional air quality management strategies. Therefore, there are no expected conflicts with the land use and growth assumptions factored into the Final 2016 AQMP.

As previously introduced, CalEEMod version 2016.3.2 was utilized to estimate the short-term construction-related and long-term operational emissions of criteria air pollutants and greenhouse gases associated with project implementation. Short-term construction-related emissions are calculated for site preparation, grading (earth movement), vertical construction, paving, and architectural coating. Long-term operational emissions are attributed to mobile sources (vehicle trips, vehicle emissions, fleet mix and road dust), land use area sources, energy use, solid waste disposal, and water use. The model input also includes the fugitive dust control measures which are a requirement under the City’s Dust Control Ordinance and SCAQMD Rules 403 and 403.1. The measures under this local regulatory framework are designed to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. Desert Hot Springs Municipal Code Chapter 15.84, Control of Fugitive Dust Emissions, requires unpaved roads with average daily traffic levels between 20 and 150 vehicles to take measures (signage or speed control devices) to reduce vehicular speeds to no more than 15 miles per hour. Access to the project site will occur along Cabot Road or Palomar Lane. Both roads are currently unpaved, therefore, signage to limit vehicular speeds to no more than 15 miles per hour will be required by the project, as a requirement of the City Municipal Code. Being a requirement in the Coachella Valley, dust control practices are not deemed mitigation.

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As demonstrated in the modeling results included in Table III-2, construction related emissions resulting from site preparation, grading, utilities/building construction, paving, and architectural coating would not exceed the applicable SCAQMD regional thresholds of significance for any criteria pollutants, including PM10 and Ozone precursors. Thus, a less than significant impact would occur for project-related construction-source emissions.

Table III-2
Short Term Air Pollutant Emissions
Associated With Construction of the Proposed Project (Unmitigated)
(Pounds/Day)

	ROG/VOC	NOx	CO	SO2	PM10	PM2.5
Total Emissions Resulting from, Site Preparation, Grading, Building Construction, Paving, and Architectural Coating	13.5727	41.3153	27.0279	0.0545	3.6691	2.6197
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded	No	No	No	No	No	No

Note: CalEEMod does not directly calculate ozone (O3) emissions. Instead, the emissions associated with ozone precursors are calculated. VOC and ROG are summed in the CalEEMod report under the header ROG. The PM10 and PM2.5 emissions are based on the CalEEMod mitigated results due to the local standard requirement to implement SCAQMD Rule 403 and 403.1 to control fugitive dust.

Moreover, CalEEMod was utilized to estimate the long-term operational air pollutant emissions that would occur during the life of the project. These operations include mobile (vehicular) and energy use. As shown in Table III-3, the project-related emissions of criteria pollutants are not expected to exceed any of the SCAQMD recommended significance threshold criteria for operational impacts.

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Table III-3
Long Term Operational Air Pollutant Emissions
Associated With Development of the Project (Unmitigated)
(Pounds/Day)

Emission Source	ROG/VOC	NOx	CO	SO2	PM10	PM2.5
Total Area Sources, Energy Use, Mobile Sources	1.5022	4.2165	6.8840	0.0308	2.2026	0.6213
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded	No	No	No	No	No	No

Note: CalEEMod does not directly calculate ozone (O3) emissions. Instead, the emissions associated with ozone precursors are calculated. VOC and ROG are summed in the CalEEMod report under the header ROG.

In summary, the project is not expected to result in growth or land use changes that would interfere with the City or region’s ability to comply with the most current air quality plans including the 2016 AQMP, CVSIP for PM10, and the ozone level attainment efforts. Moreover, the project’s short-term construction and long-term operational emissions would not exceed the established regional thresholds for criteria air pollutant emissions. Pertaining to the obstruction of an applicable air quality plan, less than significant impacts are anticipated.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?

Discussion:

The Coachella Valley portion of the Salton Sea Air Basin (SSAB) was formerly classified as “Severe-15” nonattainment for the 1997 8-hour ozone national ambient air quality standard with an attainment deadline of June 15, 2019. Over the past 15 years, the air quality in the Coachella Valley has steadily improved because of the implementation of emission control measures by SCAQMD and California Air Resources Board (CARB). However, in 2017 and 2018, higher ozone levels were experienced throughout the State of California due to changes in meteorology, biogenic emissions, and/or anthropogenic emissions. As a result of the higher ozone experienced in 2017 and 2018, it was determined that the Coachella Valley could not practically attain the 1997 8-hour ozone standard by the June 15, 2019 deadline. The inability to attain the standard is largely due to weather conditions that are impacting not only the Coachella Valley and the South Coast Air Basin, but the entire State of California and Western United States. As a result, SCAQMD requested a reclassification that would extend the attainment deadline to June of 2024. The reclassification has allowed South Coast AQMD up to five years to reach

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attainment. The U.S. EPA classifies areas of ozone nonattainment (i.e., Extreme, Severe, Serious, Moderate or Marginal) based on the extent to which an area exceeds the standard. The higher the exceedance level, the more time can be used to demonstrate attainment in recognition of the greater challenge involved. Nonattainment areas with the higher classifications are also subject to more stringent requirements. SCAQMD has prepared additional documentation and will be implementing additional measures to comply with the June 2024 deadline. Current and planned regulations on mobile and stationary sources are expected to contribute to improvements to ozone air quality in the Coachella Valley and lead to attainment of the standard.

As demonstrated in tables III-2 and III-3, project-related short-term construction and long-term operational emissions are not expected to exceed the daily thresholds of significance established by SCAQMD for ozone precursors, such as NOx and ROG/VOC. By complying with the adopted thresholds, the proposed development is also complying with the overall attainment strategies reflected in the currently adopted 2016 AQMP.

Furthermore, the Coachella Valley is currently designated as a serious nonattainment area for PM10 (particulate matter with an aerodynamic diameter of 10 microns or less). The U.S. EPA-approved Coachella Valley PM10 State Implementation Plan is in place with an attainment strategy for meeting the PM10 standard. Some of the existing measures include the requirement of detailed dust control plans from builders that specify the use of more aggressive and frequent watering, soil stabilization, wind screens, and phased development to minimize fugitive dust. Desert Hot Springs Municipal Code Chapter 15.84, Control of Fugitive Dust Emissions, requires unpaved roads with average daily traffic levels between 20 and 150 vehicles to take measures (signage or speed control devices) to reduce vehicular speeds to no more than 15 miles per hour. Access to the project site will occur along Cabot Road or Palomar Lane. Both roads are currently unpaved, therefore, signage to limit vehicular speeds to no more than 15 miles per hour will be required by the project, as a requirement of the City Municipal Code. Appropriate air quality measures to prevent fugitive dust are required by the City’s Fugitive Dust Control ordinance and plan implementation requirements, which are consistent with SCAQMD Rules 403 and 403.1 that apply to the Coachella Valley strategy for reducing fugitive dust emissions.

Under the City’s Dust Control Ordinance, a Fugitive Dust Control Plan must be prepared and approved prior to any earth-moving operations. Consistent with SCAQMD Rules 403 and 403.1, implementation of the Fugitive Dust Control Plan is required to occur under the supervision of an individual with training on Dust Control in the Coachella Valley. The plan will include methods to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. The most widely used measures include proper construction phasing, proper maintenance/cleaning of construction equipment, soil stabilization, installation of track-out prevention devices, and wind fencing. Since project-related emissions would be consistent with the Air Quality Management Plan, the Coachella Valley PM10 SIP, and all SCAQMD Air Quality Significance Thresholds, long-term operational air quality impacts associated with the project should not be considered cumulatively considerable. Less than significant impacts are anticipated.

Mitigation Measures: None

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

A sensitive receptor is a person in the population who is particularly susceptible (i.e. more susceptible than the population at large) to health effects due to exposure to an air contaminant. Sensitive receptors and the facilities that house them are of particular concern if they are located in close proximity to localized sources of carbon monoxide, toxic air contaminants, or odors. Land uses considered by the SCAQMD to be sensitive receptors include residences, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, childcare centers, retirement homes, and athletic facilities. The project site is located within close proximity to existing residential structures. Construction-related emissions resulting from the project are not expected to reach or exceed the SCAQMD regional thresholds of significance and therefore would not expose sensitive receptors to substantial pollutant concentrations at a regional level.

The CalEEMod results previously discussed were compared to the most stringent Localized Significance Threshold (LST) Methodology to identify potential impacts that could contribute or cause localized exceedances of the federal and/or state ambient air quality standards. There are no residential uses, schools, or other sensitive receptors near the project site. The nearest residential structure and school are located approximately 0.54 miles (2,851 feet) from the project site, which is beyond the distance threshold of 1,640 feet for determining localized impacts. As a result, LST analysis is not applicable to this project and the air emissions calculations are instead compared against the regional thresholds of significance previously evaluated and found to be in compliance. Being that the project is surrounded by designated open space and vacant land with a light industrial designation, the project would not operate in a context where sensitive land uses and receptors would be exposed to substantial pollutant concentrations. Less than significant impacts are anticipated.

Mitigation Measures: None

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| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Objectionable odors can be associated with toxic or non-toxic emissions. While offensive odors seldom cause physical harm, they can be unpleasant and lead to considerable annoyance and distress among the public. Examples of facilities commonly recognized for generating odors include wastewater treatment plants, sanitary landfills, composting/green waste facilities, recycling facilities, petroleum refineries, chemical manufacturing plants, painting/coating operations, rendering plants, and food packaging facilities.

A sensitive receptor is a person in the population who is particularly susceptible (i.e. more susceptible than the population at large) to health effects due to exposure to an air contaminant. Sensitive receptors and the facilities that house them are of particular concern if they are located in close proximity to

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localized sources of carbon monoxide (CO), toxic air contaminants, or odors. Examples of sensitive receptors include residences, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, childcare centers, retirement homes, and athletic facilities.

As previously described in the project description, the vacant project property is situated within an industrial district of the City, surrounded by vacant lots to the west and designated open space to the east. The nearest residential structures and school facilities are located approximately 0.54 miles from the project.

Indoor cultivation and processing operations involved with the project can generate natural odors associated with plant blossoms. As mandated by Municipal Code Chapter 5.50 and 17.180, all medical marijuana cultivation activities are only allowed in the interior of enclosed structures, facilities, and buildings. Cultivation and processing operations are not allowed to be visible from the exterior. To comply with the conditional use permit requirements, the project operator must provide the necessary odor control, ventilation and filtration systems for the cultivation and office areas of the structures sufficient to ensure that City requirements for odor control are met. The ventilation system may include activated carbon filtration, negative ion generation, ozone generators, and masking agents. These systems together would effectively control any objectionable odors produced in the facility interiors. As a result, the project is expected to result in minimal exterior plant odors, which are expected to be detectable primarily within the project property. Being that there are no sensitive receptors downwind at a close distance to the project, the proposed operations are not expected to result in detectable odors adversely affecting a substantial number of people. As a standard requirement, no operation or activity on-site shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, odors, or other forms of air pollution, which exceed levels identified as acceptable by the SCAQMD or the City of Desert Hot Springs. Less than significant impacts related to objectionable odors are anticipated.

Mitigation Measures: None

IV. BIOLOGICAL RESOURCES -- Would the Project:

Sources: *Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan*, CVAG; *Desert Hot Springs General Plan, 2020*; *General and Focused Biological Resources Assessment*, James W. Cornett Ecological Consultants, February 2020, amended March 9, 2021.

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion:

In February 2020, James W. Cornett Ecological Consultants conducted a *project-specific General and Focused Biological Resources Assessment*. The assessment area covered the project site and 100 yards beyond all site boundaries. The biological survey and analyses were designed to ascertain the impacts of proposed development on the potential biological resources of the project site and immediate vicinity, as mandated by CEQA and required by the City of Desert Hot Springs.

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The specific objectives of the biological survey are listed below:

- Determine the vascular plant and vertebrate animal species that occur on, and immediately adjacent to, the Project site.
- Ascertain the presence of plant or animal species given special status by government agencies, with an emphasis on sensitive species or communities not covered under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).
- Ascertain the existence of other significant biotic elements, corridors or communities.
- Consider the site's biological resources as they relate to the CVMSHCP and its Conservation Areas.
- If necessary and where appropriate, recommend measures to mitigate significant adverse impacts of the Project on sensitive species and habitats not covered in the CVMSHCP but determined to occur within the Project boundaries.

Survey methodology included literature, records, collections, website, or staff review to determine resources that are known to exist within the general area and to determine the possible occurrence of sensitive species. The University of California at Riverside Herbarium, the Boyd Deep Canyon Desert Research Center, the Coachella Valley Association of Governments, and the California Department of Fish and Game Natural Diversity Database were reviewed and consulted for specific information regarding the occurrence of sensitive species. Field surveys were initiated in February 2020. Daytime field surveys were conducted on February 15, 22, 28, 29 and March 1, 2, 3, 2020. Night surveys were conducted on February 28, 29, 2020. Animal surveys were conducted simultaneously with plant surveys. In addition, twenty-five live-animal traps (which capture animals unharmed) for large and small mammals were set within the Project site for twenty-four hour periods on February 28 and 29, 2020.

Surveys were conducted by walking east-west transects at 10-yard intervals through the Project site and 100 yards beyond all site. The survey techniques used during this assessment have been approved by the U.S. Fish and Wildlife Service for determining the presence or absence of the burrowing owl and desert tortoise and represents an intensive survey effort that resulted in no officially listed or federally protected species being overlooked.

The elevation of the project site is approximately 950 feet above sea level. According to the report, the only topographical relief consists of stabilized sand hummocks that rise from one to two feet above their base. The hummocks were formed by shrubs that interrupted the flow of sand carrying wind coming from the west off the Mission Creek floodplain. The shrubs reduced wind velocity and resulted in sand deposits or "hummocks" at the bases of both shrubs and large rocks. The environment of the project site is included as part of the desert scrub habitat of the valley floor as described in the CVMSHCP.

The Project Specific Biological Assessment indicates a desert wash was found along the eastern edge of the project site and is shown on the U.S. Geological Survey (USGS) maps for the project site. However, wash vegetation was poorly developed and consisted of a single species, the black-banded rabbitbrush.

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No significant wildlife habitat was found to be present near the wash. The project design avoids the desert wash to the east and the associated easement, therefore, the project will not impinge or impact the wash, and no streambed alteration permits are necessary.

Soil characteristics are uniform over the entire site. Surface soil is composed of windblown alluvium created by persistent winds from the west. This process increased in intensity with the drying out of the Coachella Valley at the close of the Pleistocene epoch ending 10,000 years before present. Subsurface soils can be comparatively coarse sand with some gravel indicating periods of surface water flow in prehistoric time. The presence of a few widely scattered boulders also indicates past surface flows.

The Inventory of Rare and Endangered Plants of California, published by the California Native Plant Society (CNPS). The last volume was published in 2001 but the contents was updated in 2018. The State and Federally Listed Endangered, Threatened, and Rare Plants of California (2021) was also reviewed. The literature review covered the Desert Hot Springs, Palm Springs and Seven Palms Valley quadrangles; from the lower bases of the Little San Bernardino Mountains a minimum of three miles to the north, a minimum of five miles to the west, a minimum of eight miles to the east and a minimum of ten miles to the south. Twenty-eight species were considered to possibly occur in or near the project either because they were found in the region or are known to occur in habitats like those found within the project area. The status of each of the twenty-eight species within the project area is described below.

The Salton milkvetch is a perennial herb found in the Sonoran Desert of California and Arizona. No individuals or evidence of the Salton milkvetch were found. The Salton milkvetch is neither state nor federally listed. It is a rare plant usually encountered on sandy or gravelly soils below 1,000 feet in elevation. The project site does not conform to these criteria and is, therefore, not considered suitable habitat.

The federally endangered perennial herb, the Coachella Valley Milk Vetch, usually occurs on sandy soils in the Coachella Valley. This subspecies has been found less than a mile from the project site in nearly identical habitat. Seeds of the species may, therefore, occur on the project site. Despite surveys being conducted in late winter, many ephemeral plant species had germinated, and some had flowered. No plant species that is considered sensitive and not covered under the CVMSHCP was found during the survey and none are expected.

The triple-ribbed milkvetch is a perennial herb found in the northwestern Colorado Desert and south-central Mojave Desert. Very few individuals of this species have ever been discovered. Those that have been encountered were found on rocky soils above one thousand feet in elevation. The project site is not rocky habitat and does not conform to that criteria. No individuals or evidence of this species were found, and it has never been recorded on or within one mile of the project site. The triple-ribbed milkvetch was officially listed as a federally endangered species on November 5, 1998. It has no formal state status.

Ayenia is a perennial herb belonging to the Cacao Family. It is confined to rocky canyons below 1,500 feet within the Creosote Scrub Community. There are no canyons within one mile of the project site. Therefore, the project site is not considered suitable habitat and no evidence of its presence was found. It is not given special status by federal government though the California Native Plant Society considers it a rare species.

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The pink fairy duster is a shrub belonging to the Pea Family. It is found in sandy or rocky soils below 5,000 feet in elevation. No individuals were found and, as a perennial, this species would have been detected if present. The inability to detect this species resulted in the conclusion that it did not occur within the project area. The pink fairy duster is neither state nor federally listed.

The flat-seeded spurge is an extremely rare ephemeral herb known to occur on sandy soils in the Sonoran Desert. There has been at least one specimen found in the Coachella Valley. The species was not detected but the surveys were done in winter when some ephemerals would not be in evidence. The flat-seeded spurge is not listed as rare, threatened, or endangered by either the state or federal governments nor is it proposed to be listed at this time.

Foxtail cactus is a stem succulent belonging to the Cactus Family. It is found on rocky soils below 3,000 feet in elevation within the Colorado Desert. It could thus occur within the project area though no individuals were found. As an easily detected perennial, it was concluded that it did not occur on the project site. The foxtail cactus is not given special status by the federal government but is considered rare by the California Native Plant Society.

The ribbed cryptantha is an uncommon ephemeral known to occur on sandy soils in the Coachella Valley. The project site can be considered suitable habitat for this species. It was not detected but the surveys were conducted in winter resulting in some ephemeral species not being in evidence. The ribbed cryptantha is not listed as rare, threatened, or endangered by either the state or federal governments nor is it proposed to be listed at this time.

The winged cryptantha is an annual herb belonging to the Borage Family. It is found in areas of coarse sandy and rocky soils below 3,600 feet in elevation within the Creosote Scrub Community of the Colorado Desert. It could thus occur within the project area though no individuals or evidence were found. It is not given special status by federal or state governments, but the California Native Plant Society considers it a rare species.

The glandular ditaxis is a rare perennial herb that blooms from December through March. It is restricted to sandy environments in the Sonoran Desert and has been found in the Coachella Valley at elevations like those found on the project site. Since the glandular ditaxis is a perennial, it likely would be detected during the plant surveys. It was not detected and therefore presumed to not occur onsite. This species is not listed as rare, threatened, or endangered by either the state or federal governments nor is it proposed to be listed at this time.

The California ditaxis is a perennial herb belonging to the Spurge Family. It is believed to occur between elevations of 400 to 3,000 feet on coarse soils within the Creosote Scrub Community of the Colorado Desert. It could thus occur within the project area though no individuals were found and, as a perennial, evidence of its presence would likely be present. The California ditaxis is not given protected status by state or federal governments but the California Native Plant Society considers it a rare species.

Borrego bedstraw is a subspecies of the perennial and widespread narrow-leaved bedstraw, *Galium angustifolium*. No evidence of this subspecies was found within the project area. As a perennial it would have been detected if present. Normally the Borrego bedstraw is found in rocky areas. Therefore, the project site is not considered suitable habitat. The Borrego bedstraw has no federal status but is listed as rare by the State.

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Haydon's lotus is a perennial herb placed in the Pea Family. It occurs in rocky areas at elevations several hundred feet above the highest point of the project site. For this reason, it was not expected in the project area and no evidence of its presence was found. Neither the state nor federal government has listed this species as rare, threatened, or endangered.

Parish's desert-thorn is a shrub belonging to the Nightshade Family. It is found on rocky slopes below 3,000 feet in elevation within the western Colorado Desert. As the project site had no rocky slopes, it was not expected, and no specimens were found. It was concluded that the Parish's desert-thorn did not occur within the project boundaries. This species is not given special status by the federal government though the California Native Plant Society considers it a rare species.

Spearleaf is perennial herb belonging to the Milkweed Family. It is normally found at elevations below 3,000 feet in dry, rocky places within the Creosote Scrub. Community of the Colorado Desert. It could thus occur in the project area though no individuals or evidence of its presence were found. Spearleaf is not given special status by the federal government but is considered rare by the California Native Plant Society.

The slender-lobed four o'clock is a perennial herb belonging to the Four O'clock Family. It is generally found in rocky areas below 1,600 feet in elevation within the western Colorado Desert. It could thus occur in the project area though no individuals or evidence of this perennial were found. The slender-lobed four o'clock is not given special status by the federal government though the California Native Plant Society considers it a rare species.

Thurber's beardtongue is a perennial herb belonging to the Figwort Family. It is generally found on gravelly slopes below 4,000 feet in elevation within the Colorado Desert. It could thus occur in the project area though no evidence of this perennial was found. Thurber's beardtongue is not given special status by the federal government but is considered rare by the California Native Plant Society.

Cove's cassia is a perennial herb belonging to the Legume Family. It is generally associated with dry washes below 2,000 feet in elevation within the Colorado Desert. It could occur along the eastern edge of the project area though no individuals or evidence of this perennial species was found. Cove's cassia is not given special status by the federal government but is considered rare by the California Native Plant Society.

Orcutt's woolly aster is a perennial herb placed in the Sunflower Family. It is found in Sonoran Desert Scrub habitat at elevations like those occurring in the project area. Because it is a perennial some plant parts persist for many months after its spring blooming period. No evidence of this species was found during the surveys and it was concluded that it did not occur in the project area. Neither the state nor federal government has listed this species as rare, threatened, or endangered.

Chaparral sand-verbena is an annual herb placed in the Nyctaginaceae family. No evidence of this subspecies was found during the surveys. The subspecies is known from the general region of the project site.

White-bracted spineflower is a small ephemeral found on sand or gravel plains at middle elevations primarily west of Highway 62. A handful of specimens have been found in the northwestern Coachella

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Valley. It was not found during surveys but would not be in bloom and unlikely to be detected in February or in early March. It is not listed by state or federal government nor is it a candidate for listing. In addition, it has never been found on, or immediately adjacent to, the project site.

Slender-horned spineflower is a rare annual herb that has been found several miles west of the project site. No evidence of its presence was recorded. However, plant surveys were done in February and March when this species might not be detected. Both the federal and state governments consider it an endangered species.

Harwood's eriastrum is an annual herb in the family Polemoniaceae. No evidence of its presence was recorded but the plant surveys were conducted in February and early March when it may have gone undetected. It is not listed by the state or federal governments but has a California Rare Plant Rank of 1B.2.

Cliff spurge is a perennial shrub in the family Euphorbiaceae. It would have been detected if present. It was not detected and, therefore, presumed to not occur on or near the site.

The Little San Bernardino Mountains Linanthus is a small ephemeral found primarily in the northwestern Coachella Valley. It usually occurs on sandy benches adjoining washes and has been found within one mile of the project site. It is known to bloom as early as February though no specimens were found on or near the project site. It is not officially listed by either state or federal governments though is considered a species of special concern. It is a covered species under the CVMSHCP and, other than paying the mitigation fees, no other actions are required.

Spiny-haired blazing star is an annual herb that has been recorded from the Coachella Valley. It could be present, but it is unlikely that it would be detected on the dates the surveys were conducted. It is not listed by the state or federal governments but has a California Rare Plant Rank of 2B.1.

Slender cottonheads is an annual herb in the family Polygonaceae. It was not detected during the plant surveys but might have gone undetected in February and early March. The subspecies is not listed by the state or federal governments but has a California Rare Plant Rank of 2B.2 a RED of 2-2-1.

Desert spike-moss is a perennial rhizomatous herb placed in the family Selaginellaceae. The dead or lifeless stems of this plant are detectable at any time of year. It was not detected and presumed to not occur on site. It is not listed by either the state or federal governments but has a California Rare Plant Rank of 2B.2 and a RED of 3-2-1.

Because there is a slight possibility that some of the plant species listed above might occur on or near the project site, to comply with CEQA Guidelines 15125 and/or 15380, a rare plant survey shall be conducted by a qualified biologist following the procedures stated in the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW, March 20,2018). This is indicated as mitigation measure BR-1.

Encountered arthropods on the site included Becker's white butterfly (*Pontia beckerii*), Eleodes beetle (*Eleodes armata*), sand scorpion (*Paruroctonus mesaensis*), and harvester ant (*Pogonomyrmex californicus*). Three insect species known to occur within the Coachella Valley have been placed on the California Department of Fish and Game's Special Animals list. They are the Coachella giant sand treader

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cricket (*Macrobaenetes valgum*), Coachella Valley Jerusalem cricket (*Stenopelmatus cahuilensis*) and Coachella Valley grasshopper (*Spaniacris deserticola*). The United States Fish & Wildlife Service has listed as endangered a fourth insect species, Casey's June beetle, *Dinacoma caseyi*. (Unlike the first two species listed above, Casey's June beetle is not a covered species under the CVMSHCP.) None of these four-insect species were found during the surveys though the former three may be present.

Recorded mammals included the black tailed jackrabbit (*Lepus californicus*), coyote (*Canis latrans*) and Palm Springs ground squirrel (*Spermophilus tereticaudus chlorus*). No individuals of the Palm Springs Pocket Mouse (*Perognathus longimembris bangsi*) were found. No individuals of the desert kit fox (*Vulpes macrotis arsipus*) were observed or detected on or near the project site. Human activity in the area is the likely explanation for its absence. The desert kit fox is fully protected in California and is not a covered species under the Plan. The Palm Springs ground squirrel was detected within the site boundary. The Palm Springs ground squirrel is considered a state Species of Special Concern. In the past it was considered a candidate species for listing by the United States Fish & Wildlife Service. It was detected within site boundaries. It is a covered species under the CVMSHCP, and mitigation is fully provided under the Plan.

Frequently observed birds within the project area were the white-crowned sparrow (*Zonotrichia leucophrys*), mourning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*) and common raven (*Corvus corax*).

No observations or calls of LeConte's thrasher (*Toxostoma lecontei*) were recorded during the surveys. In the Coachella Valley this species is closely associated with golden cholla in which it nests. The cactus was present on site and the thrasher's absence was puzzling as it has been observed in the area in past years. Recurring droughts over the past decade may have extirpated the species from the region. LeConte's thrasher is a covered species under the CVMSHP.

Two special-status avian species, potentially occurring within the project boundaries, are the burrowing owl (*Athene cunicularia*) and loggerhead shrike (*Lanius ludovicianus*).

The project site was found suitable for the burrowing owl, a protected species and one not functionally covered under the Plan. Owls were observed on or very near the project site on three occasions. Active burrows are known to occur in the area though none were found on or adjacent to the project site. The project site was found to be suitable habitat for the burrowing owl with friable soil and unobstructed views of the surrounding terrain. Since burrowing owls are in the area and can take up residence within site boundaries at any time, the California Department of Fish & Wildlife recommends a burrowing owl clearance survey be conducted not more than 14 days prior to initiating site disturbance. It is also recommended that a survey take place 24 hours prior to ground disturbance as burrowing owls may colonize the site within the time between the original survey and project activities.

No observations of the loggerhead shrike were recorded. Shrikes nest in dense shrubs or trees that are at least three feet in height. The absence of such plants within and near the project boundaries precludes this species from nesting on the project site. The shrike is a non-covered species and considered a Species of Special Concern by the state of California. Due to the lack of breeding habitat, no future breeding surveys for this species are recommended.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Detected reptiles encountered included the desert iguana (*Dipsosaurus dorsalis*), side blotched lizard (*Uta stansburiana*), and western whiptail (*Cnemidophorus tigris*). No individuals of the officially threatened Coachella Valley fringe-toed lizard, *Uma inornata*, were observed, detected, or expected due to the absence of areas of loose, windblown sand. The desert tortoise occurs in the Coachella Valley, but is not known to be present on the valley floor. Because of this, the site is not expected to be suitable for the desert tortoise. Field surveys revealed no evidence of the desert tortoise within or adjacent to the project site. Therefore, no additional surveys or actions regarding the desert tortoise are recommended or required.

The site was found to offer no unique or significant food and shelter resources for migratory bird species. However, because of the slight possibility that migratory nesting birds, such as poor-wills or lesser nighthawks, might lay their eggs beneath site shrubs, to comply with the Migratory Bird Treaty Act and Fish and Game Code sections 3503, 3503.5, and 3513, a ground-nesting bird survey shall be conducted in spring.

An intensive effort was also made to locate evidence of the flat-tailed horned lizard, *Phrynosoma mcallii*. However, no individuals were observed, and no sign (scat, tracks) was found. The inability to detect the flat-tailed horned lizard, a very cryptic species, does not necessarily indicate it is absent from the site. Though the flat-tailed horned lizard was proposed to be listed by the federal government as threatened, the proposal has been rescinded. The state government considers the flat-tailed horned lizard a Species of Special Concern. The flat-tailed horned lizard is a covered species under the CVMSHCP and specific mitigation for this species is not required.

The project lies within the boundary of the CVMSHCP, which outlines policies for conservation of habitats and natural communities. The CVMSHCP implements a habitat mitigation fee from new development in order to support the acquisition of conservation lands. The fee would be applied per Chapter 3.40 of the Desert Hot Springs Municipal Code (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fees). The project is expected to comply with provisions of the CVMSHCP. Moreover, the project site's easterly boundary abuts the Morongo Wash Special Provisions Area that is treated as Conservation Area in the plan. Therefore, the project is subject to CVMSHCP Plan requirements regarding lands adjoining Conservation Areas. The Land Use Adjacency Guidelines were established in the CVMSHCP to avoid or minimize indirect effects from development adjacent to or within the Conservation Areas. Adjacent refers to sharing a common boundary with any parcel in a Conservation Area. Indirect effects, commonly known as edge effects, may include drainage, toxics, lighting, noise, and invasive species. The project is expected to comply with the Plan requirements regarding land adjoining Conservation Areas.

Therefore, less than significant impacts are expected to species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service, following the recommended mitigation measures listed below:

Mitigation Measures:

BR-1: To comply with CEQA Guidelines 15125 and/or 15380, the project proponent shall retain a qualified biologist to conduct a spring rare plant survey following the procedures stated in the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural*

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Communities (CDFW, March 20,2018).

BR-2: Prior to construction and issuance of any grading permit, the City of Desert Hot Springs shall ensure compliance with the CVMSHCP and its associated Implementing Agreement and shall ensure that payment of the CVMSHCP Local Development Mitigation Fee for the proposed Project is sent to the Coachella Valley Conservation Commission.

BR-3: The project proponent shall ensure that the Project site design and operations adhere to and incorporate the applicable Land Use Adjacency Guidelines established in the CVMSHCP throughout project approvals and the life of the project.

4.5.1 Drainage

Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

4.5.2 Toxics

Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.

4.5.3 Lighting

For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

4.5.4 Noise

Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

4.5.5 Invasives

Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112 of the Biology Report. The plants listed in Table 4-113 of the Biology Report shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

4.5.6 Barriers

Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.

4.5.7 Grading/Land Development

Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.

BR-4: The project proponent shall ensure that burrowing owl clearance survey is performed not more than 14 days prior to project site disturbance (clearing, grubbing, grading, and construction). If any owls are identified, the most current protocol established by the California Department of Fish and Wildlife (Burrowing Owl Mitigation) must be followed. It is also recommended that a survey take place 24 hours prior to ground disturbance as burrowing owls may colonize or recolonize the site within the time between the original survey and project activities.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The biological survey performed on the project property did not find any on-site naturally occurring springs, permanent aquatic habitats or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. No blue-line stream corridors were found within the project boundaries. However, the Project Specific Biological Assessment does indicate a small dry wash was found along the site’s eastern boundary. The wash vegetation was poorly developed and consisted of a single species, the black-banded rabbitbrush. Per the Biological Report, no significant wildlife habitat was found to be present near the wash, and as project plans indicate, the project will not impinge or impact the wash. Project development will not disturb the wash area, therefore, avoiding impacts. The easternmost portion of the project (1.26 acres) will not be developed, therefore, no streambed alteration permits are necessary. Less than significant impacts are expected.

Mitigation Measures: None

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

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Discussion:

According to the Project Specific Biological Resource Assessment, the project site does not contain federally protected wetlands, marshes or other drainage features. The National Wetlands Inventory from

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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the USFWS, indicated that there are no wetlands or riparian resources on the project property. Furthermore, the Biological Resources Assessments did not identify naturally occurring springs or permanent aquatic habitats in or near the project site boundaries nor are there botanical indicators of such corridors. However, as previously mentioned in discussion b), a small dry wash, known as the Morongo Wash Special Provisions Area, was found along the site's eastern boundary. In addition, the wash is also considered a biological corridor and is alternatively known as the Morongo Canyon Conservation Area. The wash vegetation was poorly developed and consisted of a single species, the black-banded rabbitbrush. Per the biological report, no significant wildlife habitat was found to be present near the wash, thus impacts to the wildlife habitat in this area is less than significant. However, the proposed limits of development avoid any disturbance within the established flood control easement and mapped wash feature occupying the easternmost parts of the site. No impacts will occur to this wash area.

Implementation of the project would not result in the direct removal, filling or other hydrological interruption to any of these resources. The proposed on-site storm drain improvements shall include facilities to prevent the direct discharge impacts of runoff to any adjacent land uses. A Project Specific Water Quality Management Plan (WQMP) is expected to be prepared to ensure that the project does not contribute pollutants of concern in any project storm runoff. In addition, the implementation of the on-site storm drain improvements in conjunction with the Project Specific WQMP will work to minimize impacts runoff. No development within the wash area will occur, and less than significant impacts are expected.

Mitigation Measures: None

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion:

Per the project-specific biological report, no migratory wildlife corridors or native wildlife nursery sites were found on the project or adjacent properties and no discernable and routinely used corridors were identified. Although the project site is not determined to be a wildlife corridor, the eastern portion of the project site abuts the Morongo Wash. Impacts to movement of any native resident or migratory fish or wildlife species or wildlife nursery sites are not expected. However, it is possible that some migratory bird species, protected under the Migratory Bird Treaty Act, may nest on or near the project site. Therefore, to comply with the Migratory Bird Treaty Act and Fish and Game Code sections 3503, 3503.5, and 3513a spring nesting bird survey shall be conducted. This is indicated as mitigation measures BR-5, and the implementation of this mitigation measure would ensure that impacts are reduced to less than significant.

Mitigation Measures: None

BR-5: The project proponent shall retain a qualified avian biologist to conduct a spring nesting bird survey, to comply with the Migratory Bird Treaty Act and Fish and Game Code sections 3503, 3503.5, and 3513.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The project property is presently vacant and undeveloped with scattered vegetation. Project implementation would not result in demolition or tree removal. The proposed site plan provides landscaping improvements along the project edges in a manner consistent with the local development standards. The project will comply with the CVMSHCP and the land use adjacency guidelines for Conservation Areas. There are no other unique local policies or ordinances protecting biological resources that would cause a conflict nor does the site support high value biological resources that could be affected. There are no applicable tree preservation policies or ordinances and no impacts are expected.

Mitigation Measures: None

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| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

As previously mentioned in discussion a), the project lies within the boundary of the CVMSHCP, which outlines policies for conservation of habitats and natural communities. The project site's easterly boundary abuts the Morongo Wash Special Provisions Area (also referred to as the Morongo Canyon Conservation Area and biological corridor) which is treated as Conservation Area in the plan. Therefore, the project is subject to CVMSHCP plan requirements regarding lands adjoining Conservation Areas. These guidelines have been established to avoid or minimize indirect effects from development adjacent to Conservation Areas and discussed previously in this section.

The CVMSHCP implements a habitat mitigation fee from new development in order to support the acquisition of conservation lands. The fee would be applied per Chapter 3.40 of the Desert Hot Springs Municipal Code (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fees). The project is expected to comply with provisions of the CVMSHCP. Less than significant impacts would result from project implementation provided the procedures established in Mitigation Measure BR-2 and BR-3 of this Initial Study are implemented.

Mitigation Measures: See BR-2 and BR-3

V. CULTURAL RESOURCES –Would the Project:

Sources: Desert Hot Springs General Plan, 2020; *Historical/Archaeological Resources Survey Report*, CRM Tech, 2020.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The project is located on approximately 5.03 acres of vacant and undeveloped land in the City of Desert Hot Springs. This area of the City is designated as a Light Industrial (I-L) District which supports business parks and the development of industrial uses operating in enclosed buildings. CRM Tech prepared a project Specific Historical/Archaeological Resources Survey Report from February to March 2020. The purpose of this survey is to provide the City of Desert Hot Springs with the necessary information and analysis to determine whether the project would cause a substantial adverse change to any “historical resources” that may exist in or around the project area. The Report found no evidence of any settlement or land development activities on or near the project area. The research methods performed by CRM Tech as part of this assessment includes a comprehensive records search, historical background research, contact with Native American representatives, and an intensive-level field survey.

According to Eastern Information Center (EIC) records, the project area had not been surveyed for cultural resources prior to this study, and no historical/archaeological resources had been recorded on or adjacent to the property. The scope of that study also included a records search and an intensive-level field survey. No cultural resources were identified in the project area as a result. Within the one-mile radius, EIC records show some 63 previous studies covering various tracks of linear features. Collectively, these past studies covered more than 60% of the land within the one-mile radius and resulted in the identification of seven historical/archaeological sites and four isolates. All these known sites and isolates date back to the historic period and no prehistoric (i.e., Native American) cultural resources were previously recorded within the scope the records search.

The sites and isolates consisted predominately of scattered refuse items, the most common cultural remains of historic origin in the southern Californian desert region, and a road (Palm Drive) and rock alignment. None of these previously recorded cultural resources was found in the immediate vicinity of the project area, and therefore, none of them requires further consideration during this study.

A records search conducted by the Eastern Information Center and a Sacred Lands File search conducted by the Native American Heritage Commission appear to indicate a low sensitivity for cultural resources or identified sacred lands within a one-mile radius of the project area. No evidence of any settlement or development activities was noted within the project boundaries throughout the 1850s-1950s eras. As late as the early 1940s, Little Morongo Road, lying nearly a half-mile west of the project location, was the closest man-made features known to be present in the general facility. By the 1950s, a web of unpaved roads, including Palmar Land and Cabot Road, had been laid out to the west of the project area, suggesting the beginning of planned development. By the 1970s, these roads remained little more than faint dirt tracks across the desert landscape, and no construction had occurred anywhere in the neighborhood. Most of the roads were paved sometime between 1972 and 1996, and many of the buildings in the area also date to that period. Despite these developments nearby, the project area remained vacant and undeveloped to the present time.

The field survey produced negative results potential historical resources and no buildings, structures, objects, sites, features, or artifacts more than 50 years of age were encountered. The ground surface on the property appears to be relatively undisturbed, but no cultural remains of prehistoric or historical origin

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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were noted during the survey. Given the sites location and the Morongo Wash flood plan, the project area would not appear to be a suitable location for human settlement in the prehistoric or early historic period. Therefore, less than significant impacts are anticipated.

Mitigation Measures: See CR-1, below

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| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

As previously mentioned in discussion a), CRM Tech conducted a project and site-specific study on historical and archaeological resources. The assessment included a records search, Native American scoping, historical background research and an intensive-level field survey.

The field survey produced negative results from both the historic and pre-historic period. Within the one-mile scope of the records search, seven historical/archaeological sites and four isolates were previously recorded. Per the cultural report, all these known sites and isolates date back to the historic period and no prehistoric (i.e., Native American) cultural resources were previously recorded within the scope the records search and therefore, none of them requires further consideration during this study. Furthermore, the Native American Heritage Commission (NAHC) sacred lands record search did not indicate the presence of sacred lands within the project area and no notable cultural features were known to be present in the project area. However, unknown archaeological resources have the potential to be uncovered during ground disturbance and excavation activities. A Native American Tribal Monitor will be required during all project ground-disturbing activities. Therefore, if any archaeological resources or finds are unearthed during any ground-disturbing activities, the Monitor may temporarily halt and/or redirect construction equipment and activities in the immediate area in order to assess the find, and the Monitor shall notify a qualified archaeologist (Secretary of the Interior’s Standards and Guidelines) to investigate if necessary. Less than significant impacts are expected following the recommended mitigation measure.

Mitigation Measures:

CR-1: The presence of an approved Native American Tribal monitor shall be required during all project related ground disturbing activities. Should any archaeological materials be identified during monitoring of ground-disturbing activities the Monitor may temporarily halt and/or redirect construction equipment and activities in the immediate area in order to assess the find, and the Monitor shall notify a qualified archaeologist (Secretary of the Interior’s Standards and Guidelines) to investigate if necessary. The preparation of a Monitoring and Treatment Plan for submission to the Agua Caliente Tribal Historic Preservation Office may be necessary. The Monitoring and Treatment Plan shall also be provided to San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) for review and comment. Additionally, the SMBMI shall be contacted regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significant treatment.

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| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

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The historical and archaeological reports prepared by CRM Tech for this project included intensive-level field observations of the entire site. The entire project area was closely inspected for evidence of human activities dating to prehistoric or historic periods. As discussed previously, no other sites, features, artifacts, or built-environment features of prehistoric or historic age were encountered within the project area during the field survey.

Pursuant to the California Health and Safety Code Section 7050.5, and the CEQA Guidelines Section 15064.5 require that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the coroner determines the remains to be Native American or has reason to believe that they are Native American, the coroner shall contact by telephone within 24-hours of the Native American Heritage Commission. Pursuant to the mentioned California Health and Safety Code, proper actions shall take place in the event of a discovery or recognition of any human remains during project construction activities. Less than significant impacts are expected.

Mitigation Measures: None

VI. ENERGY -- Would the project:

Sources: *California Emissions Estimator Model* (CalEEMod), Version 2016.3.2; Desert Hot Springs General Plan, 2020; Desert Hot Springs General Plan Environmental Impact Report, 2020; Propane Fuel Basics, U.S. Department of Energy, accessed 2020; U.S. Energy Information Administration, accessed 2020.

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| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The project proposes a light industrial development on approximately 3.77 net acres of vacant land east of Cabot Road and approximately 330 feet north of 15th Avenue, in the City of Desert Hot Springs. As stated throughout this document, the project will include a 10,026-square-foot building for processing and office spaces and two 14,994-square-foot greenhouse buildings for the cultivation of cannabis. Associated improvements include paved drive aisles, parking lot and landscaping.

Electricity and natural gas are the primary sources of energy in the City of Desert Hot Springs. Electricity is provided to the City and Sphere of Influence (SOI) by Southern California Edison (SCE). SCE is regulated by the California Public Utilities Commission and Federal Energy Regulatory Commission (FERC), and receives electric power from a variety of sources. According to the California Public Utilities Commission’s 2016 Biennial Renewables Portfolio Standard Program Update, 23.2 percent of SCE’s power came from eligible renewable sources in 2014, including biomass/waste, geothermal, small hydroelectric, solar and wind sources.

The Southern California Gas Company (SoCalGas or the Gas Company) provides natural gas to Desert Hot Springs. Natural gas is found in association with petroleum crude oil deposits and is transported

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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throughout the country through high-pressure transmission lines. The project will use propane during operation. Propane is a by-product of natural gas processing and crude oil refining. It accounts for 2 percent of the energy used in the United States. Of that, less than 3 percent is used for transportation. Its main uses include home and water heating, cooking and refrigerating food, clothes drying, and powering farm and industrial equipment.

Petroleum accounts for approximately 92 percent of California’s transportation energy sources. In 2015, California consumed 23.2 billion gallons of petroleum, including 15.5 billion gallons of finished gasoline and 3.7 billion gallons of diesel. Gasoline and other vehicle fuels are commercially provided commodities and would be available to the project via commercial outlets. Technological advances, market trends, consumer behavior and government policies could result in significant changes to fuel consumption by type and total. Various policies, rules and regulations have been enacted to improve vehicle fuel efficiency, promote the development and use of alternative fuels, reduce transportation-source air pollutants and greenhouse gas (GHG) emissions, and reduce vehicle miles traveled (VMT), at Federal and State levels. Technological advances have made use of other energy resources or alternative transportation modes increasingly feasible, as market forces have driven the price of petroleum products steadily upward.

The project is expected to consume energy in the form of electricity, propane and petroleum during project construction and operation. Analysis of the project-related energy consumption was calculated using the latest version of CalEEMod (v2016.3.2). CalEEMod was used to calculate construction-source and operational-source criteria pollutant and GHG emissions from direct and indirect sources. The project is categorized into two land uses within CalEEMod: General Light Industrial and Parking Lot. Project related energy consumption, via electricity, propane, and petroleum is summarized in the table below and analyzed subsequently. The project will utilize propane during operation. Natural gas will not be consumed. However, CalEEMod does not calculate propane consumption, therefore, a conversion factor was utilized to convert approximate natural gas use to propane use.

Table VI-1 Summary of Annual Energy Use During Operation

Source	Units	Total Project Energy Use
Electricity Total	kWh/yr	424,111
Propane Total	Gallons	14,215.65
Petroleum Total	Gallons	36,032.3

*Per the CalEEMod calculations, total natural gas to be consumed is projected to be 1,300,050,000 BTU/yr. However, the project will not consume natural gas, and a conversion factor was used to determine how many gallons of propane the project will consume.

1 gallon of propane = 91,452 BTU

1,300,050,000 BTU (natural gas) / 91,452 BTU (propane conversion) = 14,215.65 gallons of propane.

Electricity

As previously stated, electricity is provided to the City of Desert Hot Springs and the project site by SCE. SCE’s facilities include high-voltage transmission lines, lower voltage distribution lines, and substations, which lowers voltage so that it can be distributed to homes and businesses. SCE’s transmission system includes high-voltage lines rated at 500, 230, 115, 66 and 55 kilovolts (kV). Distribution lines are those

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 No Impact

rated below 55 kV. Electric power is transported to individual homes and businesses from substations through 33 and 12 kV distribution lines.

Construction

Temporary electrical power for lighting and electronic equipment, such as computers inside interim construction trailers, would be provided by SCE. Electricity consumed for onsite construction trailers, which are used by managerial staff during the hours of construction activities, as well as electrically-powered hand tools are expected to use a minimal amount of electricity. However, the electricity used for such activities would be temporary and negligible. Most energy used during construction would be from petroleum consumption.

Operation

The project proposes the operation of a cultivation and processing facility on approximately 3.77-net-acres of vacant land. The project would not result in the use of excessive amounts of fuel or electricity and would not result in the need to develop additional sources of energy. Although energy use at the project would not be excessive, the project would incorporate several measures directed at minimizing energy use. These measures include applying energy efficient design features, including using high efficiency lighting, to meet 2019 Title 24 Standards, and therefore, reducing electricity consumption during project operation.

According to the CalEEMod calculations, the project is expected to generate the demand for approximately 406,142 kWh of annual electricity demand for the facility, and approximately 17,969.3 kWh of annual electricity demand for the parking lot. This is depicted in Table VI-2, Operational Electricity Demand, below.

Table VI-2 Operational Electricity Demand

	Electricity Demand
Land Use	kWh/yr
General Light Industrial	406,142
Parking Lot	17,969.3
Total	424,111.3

According to the Desert Hot Springs General Plan (DHS GP) Environmental Impact Report (EIR), Desert Hot Springs will consume approximately 575,687,510 kWh of electricity annually at buildout (year 2040). The project is estimated to consume approximately 424,11.3 kWh/yr., which is approximately 0.07 percent of the total annual electricity use for the City at buildout. Operation of the project is not anticipated to use excessive amounts of electricity and impacts are expected to be less than significant.

Natural Gas/Propane

According to the DHS GP EIR, natural gas consumption for City of Desert Hot Springs (at buildout) totals to approximately 1,805,720,920 thousand British Thermal Units (kBtu) annually. This converts to approximately 19,745,012.9 gallons of propane. The project proposes to operate using propane fuel, not natural gas.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Construction

Natural gas or propane are not anticipated to be required during construction of the project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed under the following petroleum subsection. Any minor amounts of natural gas/propane that may be consumed because of project construction would be temporary and negligible and would not have an adverse effect.

Operation

The consumption of natural gas typically is consumed during building heating, water heating and cooking, which will occur during project operation. The project’s expected natural gas consumption was calculated using the CalEEMod default values. Based on the CalEEMod calculations, the project is estimated to consume approximately 237,640 kBTU of natural gas annually during operation of the entire project. However, the project proposes the development of an onsite propane tank, and natural gas would not be consumed during project operation. Since CalEEMod does not calculate propane consumption, a conversion factor (provided by the U.S. Energy Information Administration) was utilized in order to calculate the project’s projected propane use. Project propane consumption is displayed in Table VI-3, Operational Propane Demand.

Table VI-3 Operational Propane Demand

	Propane Demand
Land Use	Gallons
General Light Industrial	14,215.65
Parking Lot	0
Total	14,215.65

*Per CalEEMod calculation, the project would consume approximately 1,300,050,000 BTU of natural gas annually. Using the conversion factor of 1 gallon of propane = 91,452 BTU, the project will consume approximately 14,215.65 gallons of propane annually.

As such, the project would result in a long-term increase in demand for propane. As previously stated, the DHSGP EIR calculated that the City, at total buildout, will consume approximately 1,805,720,920 kBTU of natural gas annually, or 19,745,012.9 gallons of propane annually. The project is proposed to consume approximately 14,215.65 gallons of propane per year, which is approximately 0.07 percent of the estimated total annual propane use for the City at buildout. Therefore, propane consumption would be appropriate and not excessive or inefficient.

Petroleum

Petroleum is the largest U.S. energy source according to the U.S. Energy Information Administration (EIA). Petroleum products are used to fuel vehicles and produce electricity. U.S. petroleum consumption in 2017 was primarily used by the transportation sector (71 percent). The industrial sector accounted for 24 percent petroleum consumption, the residential sector consumed 3 percent, commercial consumed 2 percent, and finally, electric power consumed 1 percent.

Gasoline is the most consumed petroleum product in the United States. In 2017, consumption of finished motor gasoline averaged about 392 million gallons per day, which was equal to about 47 percent of total

Potentially Significant Impact
 Less Than Significant with Mitigation Incorporated
 Less Than Significant Impact
 No Impact

U.S. petroleum consumption, according to the U.S. EIA, gasoline and other vehicle fuels (i.e. diesel) are commercially provided commodities and would be available to the project via commercial outlets.

Construction

The project will consume petroleum throughout project construction. Fuel consumed by construction equipment would be the primarily energy resource expended over the course of construction, while vehicle miles traveled (VMT) associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty equipment used for project construction would rely on diesel fuel, as would haul trucks involved in off-hauling materials from excavation. Construction workers are expected to travel to and from the project site in gasoline-powered passenger vehicles. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive that is used for comparable activities or use of equipment that would not conform to current emission standards (and related fuel efficiencies).

Heavy-duty construction equipment of various types would be used during each phase of construction. CalEEMod was used to estimate construction equipment usage. Fuel consumption from construction equipment was estimated by converting the total CO2 emissions from each construction phase to gallons using the conversion factors shown in the subsequent tables.

Table VI-4, Construction Worker Gasoline Demand, illustrates the demand of gasoline fuel for construction worker trips to and from the site during each construction phase, and phase of development. Construction worker gasoline demand during each phase of development equals a total of 6,511.9 gallons of gasoline fuel.

Table VI-4 Construction Worker Gasoline Demand

Phase	Days	Trips	Miles	VMT	KgCO2e	Kg/CO2/Gallon	Gallons
Site Prep.	5	8	14.60	584	18,257.5	8.89*	2,053.7
Grading	20	10	14.60	2,920	914.1	8.89	103
Building Const.	220	38	14.60	122,056	37,526.9	8.89	4221.25
Paving	10	15	14.60	2,190	662.6	8.89	74.5
Arch. Coating	15	8	14.60	1,752	530.1	8.89	59.63
Total							6,511.9

*<https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>
<https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

Table VI-5, Construction Vendor Diesel Fuel Demand (below), illustrates the demand of diesel fuel for construction vendor trips to and from the site. These trips are associated with the delivery of construction materials during the construction phase. Construction vendor demand equals a total of 3,688.8 gallons of diesel fuel.

Potentially Significant Impact
 Less Than Significant with Mitigation Incorporated
 Less Than Significant Impact
 No Impact

Table VI-5 Construction Vendor Diesel Fuel Demand

Phase	Days	Trips	Miles	VMT	KgCO2e	Kg/CO2/Gallon	Gallons
Site Prep.	5	0	0	0	0	10.18*	0
Grading	20	0	0	0	0	10.18	0
Building Const.	220	15	6.20	20,460	37,551.7	10.18	3,688.8
Paving	10	0	0	0	0	10.18	0
Arch. Coating	15	0	0	0	0	10.18	0
Total							3,688.8

*<https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>
<https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

Table VI-6, Construction Equipment Diesel Fuel Demand, displays the demand of diesel fuel for construction vehicles on-site during the various construction phases. Construction equipment diesel demand equals a total of 25,831.6 gallons of diesel fuel.

Table VI-6 Construction Equipment Diesel Fuel Demand

Phase	Days	Equipment Units	KgCO2e	Kg/CO2/Gallon	Gallons
Site Prep.	5	3	5,425.2	10.18	532.9
Grading	20	4	18,257.5	10.18	1,793.5
Building Const.	220	8	229,551.1	10.18	22,549.2
Paving	10	6	7,813.8	10.18	767.6
Arch. Coating	15	1	1,918.2	10.18	188.4
Total					25,831.6

Overall, the project is estimated to consume approximately 6,511.9 gallons of gasoline and 29,520.4 gallons of diesel fuel during the project's construction phases. In total, the project will consume approximately 36,032.3 gallons of petroleum. Per the City General Plan Environmental Impact Report (EIR), the City of Desert Hot Springs consumed approximately 21,989,676 gallons of petroleum in year 2019 and is projected to consume approximately 51,531,567 gallons of petroleum in year 2040. Therefore, project construction will consume approximately 0.16 percent of petroleum consumption compared to consumption in year 2019, and 0.07 percent of petroleum consumed compared to year 2040. Additionally, petroleum use during construction would be temporary. Therefore, construction of the project will not consume petroleum in a manner that is unnecessary, wasteful, or inefficient.

The energy used during the construction of the project would be limited to the development of the project and would not require long-term petroleum use. Additionally, there are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities or use of equipment that would not conform to current emissions standards (and related fuel efficiencies). Thus, project construction would not consume petroleum in a wasteful or inefficient manner.

Operation

According to the figures provided by the CalEEMod calculations, the project would have an estimated annual VMT of 756,411. The average daily trip rate for weekdays is 278.87 VMT, 52.81 on Saturdays, and 27.21 on Sundays. Total mobile source CO2e is 342.86 MT per year, or 342,867 kg per year.

Potentially Significant Impact
Less Than Significant with Mitigation Incorporated
Less Than Significant Impact
No Impact

CalEEMod assumes 92.5 percent of VMT burns gasoline, while the remaining 7.5 percent burn diesel. Thus, of the 342,867 kg of mobile emissions, 317,151.9 kg is generated by gasoline combustion and 25,715.1 kg is generated by diesel combustion. The project would have an annual gasoline demand of 35,675.1 gallons and an annual diesel demand of 2,526 gallons, as displayed in Table VI-8.

Table VI-7, Operational Petroleum Demand

Land Use	Annual VMT
General Light Industrial	756,411
Parking Lot	--
Total	756,411

Table VI-8 Operational Annual Petroleum

	Annual VMT	Kg/CO2/Gallon	Annual Gallons
Gasoline	317,151.9	8.89	35,675.1
Diesel	25,715.1	10.18	2,526
Total Petroleum			38,201.1

$342,867 \times 0.925 = 317,151.9$; $342,867 \times 0.075 = 25,715.1$

The Desert Hot Springs General Plan EIR predicts that the City of Desert Hot Springs will consume approximately 8,608,831 gallons of diesel, 42,922,736 gallons of gasoline, for a total petroleum consumption of 51,531,567 gallons at buildout of the City (year 2040). The project is estimated to consume 38,201.1 gallons of petroleum annually, approximately 0.089 percent of the City's total projected petroleum consumption at buildout. Therefore, operation of the project will not consume petroleum in a manner that is unnecessary, wasteful, or inefficient.

Over the lifetime of the project, the fuel efficiency of vehicles in use is expected to increase, as older vehicles are replaced with newer more efficient models. Therefore, it is expected that the amount of petroleum consumed due to the vehicle trips to and from the project site during operation would decrease over time. Additional advancement of technology includes the use of plug-in hybrid and zero emission vehicles in California, which will also decrease the amount of future petroleum consumed in the state. With the foregoing, operation of the project is expected to use decreasing amounts of petroleum over time, due to advances in fuel economy. Additionally, the proposed facility is located within a mile-radius to existing restaurants and services, primarily at Two Bunch Palms Trail and Palm Drive, northeast of the project site.

Although the project would result in an increase in petroleum use during construction and operation compared to the existing conditions, the project would implement measures required under the City's General Plan and City Municipal Code. Additionally, the regional VMTs and associated vehicular-source emissions are reduced by the following project design feature/attribute: on-site sidewalk improvements will be implemented to improve pedestrian connectivity to the surroundings. Given this consideration, petroleum consumption associated with the project operation would not be considered excessive.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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In conclusion, the project would increase demand for energy in the project area and in the service area of SCE. However, based on the findings described above, project construction and operation are not anticipated to result in potentially significant impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Mitigation Measures: None

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion:

The approximately 3.77-net-acre project proposes the development of three buildings for the cultivation and manufacturing of cannabis. The project is located on vacant land east of Cabot Road and approximately 330 feet north of 15th Avenue in Desert Hot Springs. As stated in the previous discussion, project development and operation are not anticipated to use an unnecessary amount of energy resources. To ensure the conservation of energy, the State of California and the City of Desert Hot Springs implements various regulations in order to be more energy efficient and reduce the amount of GHG emissions. Some of the State-wide and local regulations are listed below.

State Regulations

Assembly Bill 32

Assembly Bill 32 (AB 32) was signed in 2006 to establish and reduce the amounts of greenhouse gases being emitted on a state-wide level. Specifically, AB 32 requires a reduction of emissions to 1990 levels by 2020. It plans to do this by establishing an annual reporting program for significant sources. Energy efficiency goals listed in AB 32 includes maximizing energy efficiency building and appliance standards, and pursuing additional efficiency efforts including new technologies, and new policy and implementation mechanisms.

Executive Order S-3-05

Executive Order (EO) S-3-05, passed in 2005, established reduction targets of an 80 percent of 1990 levels reduction by 2050, and created agencies to achieve these targets. The passage of this regulation requires the use of more energy efficient practices regarding building development and operation in order to reduce the amount of GHGs produced.

Title 20: Appliance Efficiency Standards

The California Code of Regulations (CCR), Title 20: Division 2, Chapter 4, Article 4, Sections 1601-1608 (Appliance Efficiency Regulations) regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. 23 categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Title 24: Building Energy Efficiency Standards and CALGreen Building Standards Code

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In addition to Title 20 (Sections 1601-1608) of the CCR, Title 24, parts 6 and 11, also outlines energy efficient building designs for new development. The CCR's 2019 Building Energy Efficiency Standards (Title 24, Part 6), and the CALGreen Building Standards Code (Title 24, Part 11), establish mandatory guidelines and standards requiring more energy efficient new and existing developments. The California Energy Commission adopted the Building Energy Efficient Standards for all new residential and nonresidential construction to reduce greenhouse gases, as a part of the California Building Code, Title 24. This requires new homes to include at least 50 percent of kitchen lighting to be LED, compact fluorescent or similar high efficiency fixtures, double pane windows, cool roofs, and other design techniques to reduce heat loss. Title 24, Part 11, establishes design and development methods that include environmentally responsible site selection, building design, building siting and development to protect, restore and enhance the environmental quality of the site and respect the integrity of adjacent properties. The project will be required to comply with the state implemented standards for energy efficient new developments.

California's Renewable Portfolio Standards

The California Renewable Portfolio Standards will reduce GHG emissions by requiring utility companies, such as SCE, to switch from non-renewable resources, such as coal-fired power plants, to renewable resources, such as wind turbines and solar power.

Low Carbon Fuel Standard

The Low Carbon Fuel Standard (LCFS), or Executive Order (EO) S-1-07, establishes a low carbon fuel standard for transportation fuels in California. EO S-1-07 was enacted to reduce carbon intensity in transportation fuels as compared to conventional petroleum fuels, such as gasoline and diesel. It requires that the carbon intensity of California's transportation fuels be reduced at least 10 percent by 2020.

Clean Car Standards

The Clean Car Standards, otherwise known as Pavley 1493, sets more stringent vehicle fuel economy standards for cars and light trucks that reduce greenhouse gas emissions. In 2009, the federal government enabled the state of California to enforce stricter tailpipe emissions limits on new passenger vehicles. In 2010, the US EPA and the Department of Transportation's National Highway Safety Administration announced new vehicle greenhouse gas emission standards and corporate average fuel economy standards that reinforce California's standard.

City Regulations

Desert Hot Springs Climate Action Plan

The Desert Hot Springs Climate Action Plan (CAP) was published in 2013 to act as a comprehensive framework for the development and implementation of policies and programs to reduce greenhouse gas emissions (GHG) within the City of Desert Hot Springs. The CAP is based on the directives of the Global Warming Solutions Act (AB 32) adopted by legislature in 2006, which plans to reduce GHG emissions to 1990 levels by 2020. EO S-3-05, which was issued in 2005, requires the reduction of emissions 80 percent below 1990 levels by 2050, also established directives for the Desert Hot Springs CAP. According to the CAP, the 2010 baseline GHG emission level within Desert Hot Springs was 100,799 tonnes CO₂e.

The CAP includes 80 measures to reduce the City's GHG emissions, which are grouped into seven

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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spheres. The seven spheres include: where we live, where we work, how we build, how we get around, how we govern, where we visit and play, and how we teach and learn. Measures listed in the CAP vary from educational programs, energy or water conservation audits, implicating ordinances, and promoting energy efficient vehicles and transportation methods. The measures outlined within the CAP are expected to result in an annual savings of 50,040 tonnes CO₂e, 739 tonnes CO₂e over the City's AB 32 target reductions of 49,301 tonnes CO₂e.

Desert Hot Springs General Plan Update

The City of Desert Hot Springs is committed to reducing energy demand and consumption within their City. Since the production of electricity and natural gas requires the burning of fossil fuels, the increased demand for electricity in the City also leads to an increase in air pollution and greenhouse gas emissions created in the City. Therefore, reducing energy consumption will contribute to the reduction of air pollutants and GHGs generated in the City.

Industrial land uses typically generate large electricity and natural gas demands in the City. The Open Space and Conservation Element of the General Plan addresses existing energy resources and consumption patterns in an effort to preserve and expand these resources and determine how they may be most effectively managed.

According to the Desert Hot Springs General Plan, energy conservation is important, particularly in the summer months. Energy conservation is encouraged through development regulations, building regulations and General Plan standards. The goal of the Energy and Mineral Resources Element of the General Plan focuses on the conservation and thoughtful management of energy sources and mineral deposits, assuring the long-term viability of limited and non-renewable resources. This is achieved in the General Plan through the promotion of energy conservation in all areas of community development, including transportation, development planning, public and private sector office construction and operation, as well as in the full range of residential, commercial and industrial projects. Program 5B of the Energy and Mineral Resources Element in the General Plan requires that support and facilitate the integration of co-generation and other energy management systems into larger industrial and commercial operations in the City to enhance operational efficiencies and provide additional opportunities for local power production.

In addition to the goals and policies outlined within the General Plan Update, the General Plan also enforces the standards required in Title 24 and Building Code regulations, which require energy efficiency in all new construction of residential and nonresidential projects, as well as providing encouragement for the use of energy efficient construction techniques.

Desert Hot Springs Municipal Code

Similar to the City's CAP and GPU, the City's Municipal Code also encourages the conservation of energy. Chapter 15.08.100, California Energy Code, requires that the California Energy is adopted by reference and used to implement, administer and enforce the California Building Standards Code.

Chapter 10.56 (Transportation Demand Management Requirements), is intended to protect the public health, welfare and safety by reducing air pollution caused by vehicle trips and vehicle miles traveled (VMTs). This chapter is intended to reduce emissions by requiring the development of a trip reduction and travel demand element to the congestion management plan (CMP), and adoption and implementation of trip reduction and travel demand ordinances by local agencies.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project property proposes a cultivation facility on approximately 3.77 net acres east of Cabot Road and north of 15th Avenue, in the City of Desert Hot Springs. The facility will include the development of a 10,026-square-foot building for processing, and two 14,994-square-foot greenhouse buildings. The project will comply with state-implemented building standards such as those outlined in Title 20 and Title 24 of the California Code of Regulations. Energy efficient appliances will be utilized during project operation. As stated in the previous discussion, project-related energy consumption and VMTs created by the project are not anticipated to be substantial.

The project property is located in an area that is dominated by vacant and undeveloped land in the City of Desert Hot Springs. Existing light industrial uses are located north and west of the project. Existing grocery stores, restaurants, commercial uses, services and bus stops lie approximately one-mile northeast of the project property, primarily along Palm Drive. The closest SunLine Transit stop to the project property is Bus Line 15 stop ID 135, Two Bunch Palms at West located approximately one-mile northeast of the site.

The project property will comply with all applicable State and local guidelines and regulations regarding energy efficient building design and standards. Therefore, the project is not anticipated to conflict or obstruct a state or local plan for renewable energy or energy efficiency. Less than significant impacts are expected.

Mitigation Measures: None

VII. GEOLOGY AND SOILS -- Would the Project:

Sources: Desert Hot Springs General Plan, 2020; Desert Hot Springs General Plan Environmental Impact Report, 2020; Desert Hot Springs Municipal Code; Riverside County General Plan, 2015; Riverside County General Plan Environmental Impact Report, 2015; *2015 Urban Water Management Plan*, Missions Springs Water District, 2015; *Flood Insurance Rate Map (FIRM) panel 06065C0885G*, Federal Emergency Management Agency's (FEMA), effective August 28, 2008; *Land Subsidence, Groundwater Levels and geology in Coachella Valley, California, 1993-2010*, USGS Scientific Investigations Report 2014-5075.

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

According to the Desert Hot Springs General Plan Environmental Impact Report (DHSGP EIR), ground shaking from an earthquake can cause damage anywhere in the City, while a fault rupture typically results

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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in only localized damage to structures near the fault. Critical parameters include (1) whether foundations and/or structures straddle the fault, (2) the distance between the fault and various portions in the City, (3) the maximum credible earthquake each fault is capable of generating, (4) the intensity of ground shaking expressed as a fraction of the acceleration of gravity (g), and (5) the Modified Mercalli (MM) seismic intensity values that have been calculated for the City. In general, peak ground accelerations and seismic intensity values decrease with increasing distance from the causative fault. However, local site conditions, such as the top of ridges, may amplify the seismic waves generated by an earthquake, resulting in higher accelerations. Fault rupture can result in serious catastrophic damage to structures if the rupture occurs under the structure and causes injury or death to any occupants inside.

Per the Alquist-Priolo Earth Fault Zone Map corroborated for the purpose of this analysis, no known active faults traverse at or near the project site. The nearest Alquist-Priolo Fault Zone is located approximately 1.50 miles to the northeast and labeled the San Andreas Fault Zone (Mission Creek Fault). Alquist-Priolo Maps are corroborated by the Riverside County Seismic Faults and Fault Zones database and by the Desert Hot Springs EIR Map (page 4.7-11, 2020).

In addition to the Alquist-Priolo Fault Zones, Riverside County has identified and designated county fault zones that require similar special studies prior to development (Riverside County General Plan). These areas represent zones that have been identified from groundwater studies and should be viewed as doubtful, but until solid field evidence is generated to prove or disprove their existence, the County of Riverside continues to consider them to be a potential hazard. According to the County designated fault zone maps, provided by the most recent Geographic Information Systems (GIS) data, the closest county fault zone lies approximately 2.30 miles northeast of the project property and labeled Blind Canyon Fault. The project will not have a significant impact to the Blind Canyon Fault.

Surface rupture occurs when movement on a fault deep within the earth breaks through to the surface. The DHS GP EIR indicates that fault ruptures usually follow preexisting faults, which are zones of weakness. The project site, however, does not lie within an Alquist-Priolo Earthquake Fault Zone. Surface fault rupture is considered to be unlikely at the project site due to the well-delineated fault lines through the Coachella Valley as shown on California Department of Mines and Geology (CDMG) maps. Less than significant impacts are expected.

Mitigation Measures: None

ii) Strong seismic ground shaking?

Discussion:

As mentioned previously, relative to properties that are not located on faults or within fault study areas, ground shaking is the primary seismic hazard that can be expected. Intensity can be affected based on distance from faults. Strong shaking from an earthquake can result in secondary actions including landslides, ground lurching, structural damage or destruction, and liquefaction (discussed subsequently in this Geology and Soils Section).

The proposed cultivation buildings and associated structures will be required to be constructed in a manner that reduces the risk of seismic hazards (Title 24, California Code of Regulations). The project will be conditioned to comply with the most current seismic design coefficients and ground motion parameters and all applicable provisions of the California Building Code (CBC). The CBC includes requirements to design structures in accordance with the appropriate ground-shaking design parameters

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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set forth in the code. Remedial grading and construction will work to reduce exposure of people or structures to adverse effects to the greatest extent possible against seismic hazards. All grading and construction plans will be reviewed and approved by the City. Following compliance with standard conditions relative to seismic design requirements, less than significant impacts are expected.

Mitigation Measures: None

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The Geology and Soils section in the Desert Hot Springs General Plan EIR indicates that when loose, unconsolidated, saturated, sandy soils are subjected to ground vibrations during a seismic event they may liquefy; this phenomenon is called liquefaction. This occurs in areas where the ground water table is within 50 feet of the ground surface. Effects of liquefaction include a loss of bearing strength, ground oscillations, lateral spread and slumping.

According to the Mission Springs Water District (MSWD) Draft 2015 Urban Water Management Plan, groundwater levels in the Mission Creek Subbasin, in which the project is located, average 300 feet below the ground surface. Therefore, the chance for hazards associated with liquefaction is considered low in the Desert Hot Springs area, principally because of the approximate depth to ground water. The exception includes lands located immediately adjacent to and on the north side of the Banning and Coachella Valley (Mission Creek) Faults, which dike ground water and allow it to rise within 50 feet of the surface. The property is located approximately 1.50 miles southwest from the Mission Creek Fault.

Through the development review process of the proposed structures, a site-by-site analysis is required to assess building design and check that proposed structures meet existing regulations or applicable codes established by the California Building Code (CBC) and the City of Desert Hot Springs. Less than significant impacts are expected.

Mitigation Measures: None

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Per the DHS GP EIR, landslides typically occur in areas with steep, unstable slopes. This hazard is found along the perimeter of the City on properties abutting the surrounding hillsides and mountains (page 4.7-18). The subject property is located near an area with a low susceptibility of being impacted by rock falls and seismically induced landsliding due to the relatively flat topography. The closest area with moderate susceptibility to landsliding is approximately 2 miles to the west, at an isolated geological feature referred to as Devers Hill.

Although the project site is not located in an area susceptible to landslides, the project site is impacted by seasonal runoff and runoff related hazards, such as flooding, erosion, and debris flows. This is due to the project's partial location within the Big Morongo Wash corridor. The eastern portion of the site (approximately 1.26 acres) is located within the wash, which is delineated by an existing flood control easement. As a part of project design, a proposed fence will be constructed along the existing flood control easement and project development will not occur east of the fence or within the Big Morongo

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Wash corridor area. In general, impacts related to flooding, erosion and debris flows shall be mitigated by proper drainage design including collecting and disposal (conveyance) of runoff water. Per project design, two landscaped retention basins will collect onsite runoff and allow it to percolate into the ground without discharging from the site. Flood control devices and erosion protection will be reviewed by the City and relevant agencies for compliance. Further discussion provided in the Hydrology and Water Quality Section. Less than significant impacts are anticipated.

Mitigation Measures: None

- b) Result in substantial soil erosion or the loss of topsoil?

Discussion:

The project property is located east of Cabot Road and approximately 330 feet north of 15th Avenue in Desert Hot Springs. Soil erosion at the project site can be caused by windborne, waterborne and human-related activities. Erosion during project construction and operation is discussed subsequently.

The project site is currently vacant with scattered, low-lying desert vegetation. Remedial grading including clearing of all vegetation, over-excavation and re-compaction will be required to ensure firm and uniform bearing conditions. These activities may increase the potential of soil erosion at the time of development. Therefore, in order to mitigate the effect of erosion at the project site, the project shall implement the Coachella Valley PM10 State Implementation Plan (PM10 Plan), otherwise identified by the City of Desert Hot Springs as the Fugitive Dust Control Plan. The purpose of this plan is to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic fugitive dust sources by requiring actions to prevent, reduce or mitigate fugitive dust emissions. The PM10 Plan requires the implementation of best management practices (BMPs) such as the use of perimeter fencing, applying adhesive dust suppressant, or watering the project site. The project property shall implement the BMPs outlined within their project specific PM10 Plan during construction of the project site. Refer to the Air Quality section of this environmental document for further information.

In addition to windborne and human-caused erosion, the project property may be subject to waterborne erosion during project construction and operation. According to the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Map (FIRM) panel 06065C0885G, effective August 28, 2008, the entire project and its immediate surroundings are located within Zone AO and are therefore identified as being subject to inundation by the 1-percent-annual-chance storm. The entire project area is subject to two distinguished flooding conditions, based in part on the property’s partial location within the Big Morongo Wash. In particular, the westerly 3.77 acres of the project can potentially be affected by an average flood depth of one (1) foot and a velocity of four (4) feet per second; while the remaining easterly 1.26 acres of the project are subject to an average flood depth of three (3) feet and a velocity of eight (8) feet per second. The average flood depths are derived from detailed hydraulic analyses by FEMA. Mandatory flood insurance purchase requirements and floodplain management standards apply to all development.

Waterborne erosion can be caused by both human activities (i.e. over-watering of a site) and natural conditions (i.e. stormwater runoff from a rain event). Project development may affect onsite waterborne erosion; therefore, the project is required to comply with the most current Construction General Permit (CGP) (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ). Compliance with the CGP

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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involves the development and implementation of a project-specific Stormwater Pollution Prevention Plan (SWPPP), which is designed to reduce potential adverse impacts to surface water quality during the period of construction. The required plan will identify the locations and types of construction activities requiring BMPs and other necessary compliance measures to prevent soil erosion and stormwater runoff pollution. The plan will also identify the limits of allowable construction-related disturbance to prevent any exceedances or violations. Waterborne erosion and the City’s standard conditions associated with the topic are thoroughly discussed in the Hydrology and Water Quality Section of the document.

All onsite 100-year peak discharges would drain into two onsite retention basins via surface flows. The project would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth. Additionally, project implementation will include landscaping, buildings, and paved surfaces throughout the property. These features will establish stabilized surfaces at the project site, therefore decreasing the likelihood of onsite windborne, waterborne and human-related erosion. During project operation, waterborne erosion will be conveyed and collected onsite runoff into two proposed retention facilities.

The implementation of the PM10 Plan and the SWPPP will ensure that impacts from project-related erosion will be less than significant. See the Air Quality and Hydrology and Water Quality sections of this document for further discussion.

Mitigation Measures: None

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion:

The onsite area has a variably vegetated topography that slopes to the southeast. As discussed previously, hazards associated with liquefaction, lateral spread and offsite landslides are not expected.

The Desert Hot Springs General Plan EIR states that ground subsidence is the gradual settling or sinking of the ground surface with little or no horizontal movement (page 4.7-20). This phenomenon is usually associated with the extraction of oil, gas or ground water from below the surface, but it may also occur as a result of an earthquake. The 4-meter high scarp on the west side of Devers Hill indicates that uplift has occurred within the Desert Hot Springs Area. Devers Hill is approximately 2 miles west of the subject property.

A USGS Scientific Investigations Report 2014-5075 “Land Subsidence, Groundwater Levels and geology in Coachella Valley, California, 1993-2010” indicates the following: While most of the Coachella Valley was relatively stable, land surfaces declined about nine inches to two feet in some areas of Palm Desert, Indian Wells, and La Quinta, between 1995 and 2010. Following the 2009 installation of groundwater replenishment systems, an important recent exception was observed in La Quinta where groundwater levels stabilized and rose, and the rate of land subsidence substantially decreased. Subsidence is considered a regional problem requiring regional mitigation not specific to the project vicinity.

According to the General Plan, soil collapse typically occurs in recently deposited soils in an arid or semi-arid environment. When saturated, collapsible soils undergo a rearrangement of their grains and a loss

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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of cohesion or cementation, resulting in a substantial and rapid settlement even under relatively low loads. The alluvial sediments which comprise much of Desert Hot Springs are prone to collapse, which can result from surface irrigation. Remedial grading including proper preparation and compaction of project soil will be required and indicated in project specific grading plans which will be reviewed and approved by the City (Riverside County Municipal Code Section 15.04). Review of the plans and proper preparation and compaction will address the requirements for development on these soils. Preparation of the site, which includes removing existing vegetation, debris and loose soil from the existing onsite soils, and compaction using controlled compacted fill will ensure that soils susceptible to collapse are removed from the site and foundation bearing conditions are firm and uniform, per Chapter 18, Soils and Foundations, of the California Building Code. Less than significant impacts are anticipated.

Mitigation Measures: None

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life of the property?

Discussion:

Expansive soil are soils that include a significant amount of clay and are subject to swelling. Expansive soils can change in volume and can exert significant pressure on loads (such as buildings) that are placed on them. In the General Plan study area, expansive soils are not generally considered a hazard because of the relatively minor amount of clay present in the soils. Where expansive soils may occur is in the Qf3 and Qf4 soils, which generally occur north of the Mission Creek Fault and in the vicinity of Whitewater Hill. The property is approximately 1.50 miles southwest of the Mission Creek Fault and 5.0 miles northeast of Whitewater Hill. Less than significant impacts are anticipated.

Mitigation Measures: None

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Discussion:

Mission Springs Water District (MSWD) currently provides sewer service to the west along Little Morongo Road. The project will connect to sewer for disposal of wastewater. Project design will undergo City review, and will be required to meet MSWD standards to ensure wastewater capacity and compliance. Design for all disposal systems shall comply with industry regulations, and sewer installation and connection fees in place at the time of development or connection would be collected by MSWD (see the Utilities and Service Systems section for further discussion). Less than significant impacts are anticipated.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

According to the Riverside County General Plan, paleontological resources is evidence of past life forms and their biota, that is valued for the information they yield about the history of earth and its past ecological settings. Per Figure OS-8, *Paleontological Sensitivity*, in the Riverside County General Plan, the property is recognized for having low potential for Paleontological Sensitivity. Areas recognized for having “low” potential have a reduced likelihood of containing significant non-renewable paleontological resources, including vertebrate or significant invertebrate fossils. Moreover, the site is not recognized as a unique paleontological or a unique geologic feature. Additionally, the project property lies within an urbanized context within the City and is surrounded by industrial uses, as well as vacant land. Therefore, it is unlikely that paleontological resources are onsite. However, if any paleontological resources or finds are unearthed during any ground-disturbing activities, a qualified paleontologist should be notified. Less than significant impacts are expected following the recommended mitigation measure.

Mitigation Measures:

GEO-1: A qualified paleontologist shall be retained and present during the first days of monitoring. Once the paleontologist has had a chance to assess the sediments and paleontological potential of the project area, he/she may make a recommendation to reduce the monitoring effort, as appropriate, or continue with full time monitoring. This decision shall be communicated along with the rationalization to the City for their records.

VIII. GREENHOUSE GAS EMISSIONS --Would the Project:

Sources: *Final 2016 Air Quality Management Plan (AQMP)*, by SCAQMD, March 2017; *Final 2003 Coachella Valley PM10 State Implementation Plan (CVSIP)*, by SCAQMD, August 2003; *Analysis of the Coachella Valley PM10 Redesignation Request and Maintenance Plan*, by the California Air Resources Board, February 2010; California Emissions Estimator Model (CalEEMod), Version 2016.3.2. California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators, 2019 Edition, California Air Resources Board; Release No. 18-37 & 19-35, California Air Resources Board Press Release, July 2018 and August 2019.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Greenhouse gases (GHG) are a group of gases that trap solar energy in the Earth’s atmosphere, preventing it from becoming too cold and uninhabitable. Common greenhouse gases in the Earth’s atmosphere include water vapor, carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), ozone, and chlorofluorocarbons to a lesser extent. Carbon dioxide is the main GHG thought to contribute to climate change. Carbon dioxide reflects solar radiation back to Earth, thereby trapping solar energy and heat within the lower atmosphere. Human activities (such as burning carbon-based fossil fuels) create water

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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vapor and CO₂ as byproducts, thereby impacting the levels of GHG in the atmosphere. Carbon dioxide equivalent (CO₂e) is a metric used to compare emissions of various greenhouse gases. It is the mass of carbon dioxide that would produce the same estimated radiative forcing as a given mass of another greenhouse gas. Carbon dioxide equivalents are computed by multiplying the mass of the gas emitted by its global warming potential. Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. GCC is currently one of the most controversial environmental issues in the United States, and debate exists within the scientific community about whether or not GCC is occurring naturally or as a result of human activity.

To address the long-term adverse impacts associated with global climate change, California’s Global Warming Solutions Act of 2006 (AB 32) requires California Air Resource Board (CARB) to reduce statewide emissions of greenhouse gases to 1990 levels by 2020. In 2016, Governor Jerry Brown signed Senate Bill 32 (SB32) that requires California to reduce GHG emissions to 40 percent below 1990 levels by 2030. With the passage of the California Global Warming Solutions Act of 2006 (Assembly Bill 32) in California, environmental documents for projects pursuant to CEQA are required to analyze greenhouse gases and assess the potential significance and impacts of GHG emissions.

On July 11, 2018, CARB announced in a press release (No. 18-37) that greenhouse gas pollution in California fell below 1990 levels for the first time since emissions peaked in 2004, an achievement roughly equal to taking 12 million cars off the road or saving 6 billion gallons of gasoline a year. Moreover, according to the CARB report on California Greenhouse Gas Emissions for 2000 to 2017 (published in 2019), which tracks the trends of GHG emissions, California’s GHG emissions have followed a declining trend between 2007 and 2017. In 2017, emissions from GHG emitting activities statewide were 424 million metric tons of CO₂ equivalent (MMTCO₂e), 5 MMTCO₂e lower than 2016 levels and 7 MMTCO₂e below the 2020 GHG Limit of 431 MMTCO₂e. The largest reductions are attributed to the electricity sector, which continues to see decreases as a result of the State’s climate policies. The transportation sector remains the largest source of GHG emissions in the state, but saw a 1 percent increase in emissions in 2017, the lowest growth rate over the past 4 years.

On August 12, 2019, California Governor Gavin Newsom announced in a press release (No. 19-35) that GHG emissions in California continued to fall ahead of schedule in 2017 as the state’s economy grew ahead of the national average, according to the California Air Resources Board’s latest state inventory of climate-changing emissions. The data also shows that for the first time since California started to track GHG emissions, the state power grid used more energy from zero-GHG sources like solar and wind power than from electrical generation powered by fossil fuels. In addition, the data demonstrates that emissions from the transportation sector did not rise as fast as in previous years. 2017 was also the second year in a row in which GHG emissions fell below the 2020 reduction target of 431 million metric tons established by the Global Warming Solutions Act of 2006 (Assembly Bill 32). GHG emissions came in at 424 million metric tons of CO₂ equivalent in 2017, a decrease of five million metric tons from 2016. The press release also included the following highlights:

Electricity: Emissions from electricity generation made up about 15 percent of 2017 statewide greenhouse gas emissions. In 2017, those emissions fell nine percent from 2016, the largest decline of any economic sector. A large increase in zero-emission energy resources drove the reduction. Those clean sources powered 52 percent of all California’s electricity consumed in 2017.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Transportation: Vehicle tailpipe emissions accounted for 37 percent of California’s 2017 GHG emissions. Those emissions rose, but showed signs of leveling off. The 2017 increase was 0.7 percent, down from two percent the preceding year. Most of the greenhouse gas emissions increase came from passenger vehicles.

Industry: Industrial emissions over multiple sectors showed a slight reduction or remained flat. California’s industrial sectors generated 21 percent of state GHGs in 2017. Oil & gas refineries and hydrogen production were responsible for one-third of those emissions. The rest came mostly from oil & gas extraction, cement plants, glass manufacturers and large food processors.

Discussion:

CalEEMod Version 2016.3.2 was used to quantify GHG emissions associated with the project involving 40,014 square feet of light industrial floor surface area and parking lot asphalt surfaces totaling 1.18 acres. As previously mentioned, CalEEMod utilizes widely accepted methodologies for estimating emissions. Sources of these methodologies and default data include but are not limited to the United States Environmental Protection Agency (USEPA) AP-42 emission factors, California Air Resources Board (CARB) vehicle emission models, studies commissioned by California agencies such as the California Energy Commission (CEC) and CalRecycle. The project’s total number of buildings and associated parking lot were factored into the model to evaluate whether the estimated criteria pollutants and GHG emissions would exceed the established thresholds and therefore conflict with the plans and efforts of reducing the emissions of greenhouse gases. Construction-related GHG emissions were amortized over a 30-year period and added to the project’s annual operational GHG emissions. The operational GHG emissions can be attributed to area sources, mobile sources, solid wastes and water supply, treatment and distribution of the proposed operations.

The currently applicable GHG thresholds for local lead agency consideration are referenced from the SCAQMD Working Group Threshold supporting documentation, which establishes an interim tiered approach. Under this guidance, a screening threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO2e) per year has been an acceptable approach for working groups. The GHG emissions estimates resulting from CalEEMod are displayed below in Table VIII-1.

**Table VIII-1
Total Project Greenhouse Gas Emissions**

Unmitigated Emission Source	Emissions (metric tons per year)
	Total CO2E
Annual Construction Emissions Amortized Over 30	5.75105
Area, Energy, Mobile Sources, Waste, and Water Usage	627.4014
Total CO2E (All Sources)	633.15245
SCAQMD Threshold for Industrial Projects	3,000
Threshold Exceeded?	NO

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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As shown in VIII-1 resulting from the CalEEMod calculations, the project is expected to generate approximately 633.152 MTCO₂e per year from construction, area, energy, mobile sources, waste, and water usage sources. Therefore, the project GHG emissions would not exceed the threshold of significance set at 3,000 MTCO₂e per year. Having been evaluated against the regionally accepted thresholds, which are part of the State’s regulations aimed at addressing climate change, the project is not expected to interfere with the plans, policies, or regulations adopted for the purpose of reducing the emissions of greenhouse gases. Less than significant impacts are anticipated.

Mitigation Measures: None

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion:

As previously mentioned in discussion a), under Assembly Bill 32 passed in 2006, California must reduce its emissions to 1990 levels (431 million metric tons) by 2020. Senate Bill 32, signed in 2016, requires the state to go even further than AB 32 and cut emissions 40 percent below 1990 levels by 2030—the most ambitious carbon goal in North America. California’s primary programs for reducing greenhouse gases to 1990 levels by 2020 are the Renewables Portfolio Standard, the Advanced Clean Cars Program, the Low Carbon Fuel Standard and the Cap-and-Trade Program. Additional programs address a variety of greenhouse gas sources. These include the Short-Lived Climate Pollutants Strategy, the Sustainable Communities Strategy and the Sustainable Freight Action Plan. The 2030 Scoping Plan, adopted by CARB, lays out how these initiatives work together to reduce greenhouse gases to achieve California’s 2030 target of 260 million metric tons and also to reduce smog-causing pollutants. This target will require California to more than double the rate at which it has been cutting climate-changing gases. Future reductions will occur against a backdrop of natural sources of GHGs which are increasingly variable because of the climate change California is already witnessing. The SCAQMD adopted the interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to Projects where the SCAQMD is the lead agency. Less than significant impacts are anticipated.

On July 11, 2018, CARB announced in a press release (No. 18-37) that greenhouse gas pollution in California fell below 1990 levels for the first time since emissions peaked in 2004, an achievement roughly equal to taking 12 million cars off the road or saving 6 billion gallons of gasoline a year. Moreover, according to the CARB report on California Greenhouse Gas Emissions for 2000 to 2017 (published in 2019), which tracks the trends of GHG emissions, California’s GHG emissions have followed a declining trend between 2007 and 2017. In 2017, emissions from GHG emitting activities statewide were 424 million metric tons of CO₂ equivalent (MMTCO₂e), 5 MMTCO₂e lower than 2016 levels and 7 MMTCO₂e below the 2020 GHG Limit of 431 MMTCO₂e. The largest reductions are attributed to the electricity sector, which continues to see decreases as a result of the State’s climate policies. The transportation sector remains the largest source of GHG emissions in the state, but saw a 1 percent increase in emissions in 2017, the lowest growth rate over the past 4 years. The transportation sector, the state’s largest source of greenhouse gases, saw a 2 percent increase in emissions in 2016 because of increased fuel consumption. The state has also documented the increased use of biofuels as a result of the state’s Low Carbon Fuel Standard. These low-carbon alternative fuels, consisting mostly of biodiesel, renewable

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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diesel, and ethanol, reduced emissions by 14 million metric tons of carbon dioxide, when compared to what would have been generated if conventional fossil fuels had been used.

The Desert Hot Springs Climate Action Plan (CAP) published in 2013 acts as a comprehensive framework for the development and implementation of policies and programs to reduce greenhouse gas emissions (GHG). The CAP is based on the directives of the State’s global warming strategies previously discussed. Therefore, project compliance with the State’s GHG reduction methods and measures would be equivalent and consistent with the City’s CAP measures. In summary, the project is expected to result in GHG emissions totaling 633.152 MTCO₂e at full operation of the built-out condition, which is below the established 10,000 MTCO₂e threshold. Additionally, the City of Desert Hot Springs provides GHG reduction measures in their 2020 General Plan to ensure a reduction in total vehicle miles traveled to help improve local air quality and reduce GHG emissions. Some policies to achieve this goal includes reducing vehicle miles traveled and implementing sustainable transportation and land use strategies. The project will not conflict with the goals and policies established by the City to reduce GHG emissions.

Overall, the project is not expected to conflict with the applicable plans and strategies for the purposes of reducing greenhouse gas emissions. Less than significant impacts are anticipated.

Mitigation Measures: None

IX. HAZARDS AND HAZARDOUS MATERIALS --Would the project:

Sources: *Code of Federal Regulations Title 40 Part 261*. Desert Hot Springs General Plan, 2020; Desert Hot Springs General Plan Environmental Impact Report, 2020; *EnviroStor*, Department of Toxic Substances Control, accessed 2020; *Enforcement and Compliance History Online (ECHO)*, Environmental Protection Agency (EPA), accessed 2020; *GeoTracker*, State Water Resources Control Board, accessed 2020; Riverside County Municipal Code.

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Discussion:

The Code of Federal Regulations (CFR Title 40, Part 261) defines hazardous materials based on ignitability, reactivity, corrosivity, and/or toxicity properties. The State of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive and/or corrosive, which have the capacity of causing harm or a health hazard during normal exposure or an accidental release. As a result, the use and management of hazardous or potentially hazardous substances is regulated under existing federal, state and local laws. Hazardous wastes require special handling and disposal methods to reduce their potential to damage public health and the environment. Manufacturer’s specifications also dictate the proper use, handling, and disposal methods for the specific substances.

The project property occupies approximately 5.03 acres of vacant desert land east of Cabot Road and north of 15th Avenue. The project proposes to construct three detached cannabis facilities for cultivation and processing on 3.77 acres of the project site. Development will consist of one 10,026-square-foot building for offices and processing, and two 14,994-square-foot greenhouse structures. The project will

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not involve the use or storage of hazardous materials other than organic certified fertilizers and California approved natural pesticides and fungicides. These materials will be stored and applied according to manufacturer's instructions to mitigate the potential for incidental release of hazardous materials or explosive reactions.

Construction of the project is expected to involve the temporary management and use of potentially hazardous substances and petroleum products. The nature and quantities of these products would be limited to what is necessary to carry out construction of the project. Some of these materials would be transported to the site periodically by vehicle and would be stored in designated controlled areas on a short-term basis. When handled properly by trained individuals and consistent with the manufacturer's instructions and industry standards, the risk involved with handling these materials is considerably reduced.

To prevent a threat to the environment during construction, the management of potentially hazardous materials and other potential pollutant sources will be regulated through the implementation of control measures required in the Storm Water Pollution Prevention Plan (SWPPP) for the project. The SWPPP requires a list of potential pollutant sources and the identification of construction areas where additional control measures are necessary to prevent pollutants from being discharged. Best management practices (BMPs) are necessary for *Material Delivery and Storage*; *Material Use*; and *Spill Prevention and Control*. These measures outline the required physical improvements and procedures to prevent impacts of pollutants and hazardous materials to workers and the environment during construction. For example, all construction materials, including paints, solvents, and petroleum products, must be stored in controlled areas and according to the manufacturer's specifications. In addition, perimeter controls (fencing with wind screen), linear sediment barriers (gravel bags, fiber rolls, or silt fencing), and access restrictions (gates) would help prevent temporary impacts to the public and environment. With such standard measures in place, less than significant impacts are anticipated during construction.

Project operation would include the storage and handling of hazardous materials in quantities that would not pose a hazard to the public or the environment. However, if applicable, the project may be required to enforce minimum standards as established by Riverside County Ordinances 615 and 651. The ordinances require businesses that generate, store, handle, dispose, or recycle hazardous materials to be permitted through the County of Riverside Department of Environmental Health (DEH).

Consistent with the local codes regulating light industrial districts and cannabis facilities, all proposed cultivation and processing operations would only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation and processing operations and all cannabis plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation and processing of cannabis. The proposed cannabis cultivation and processing operations are not expected to involve the routine transport, use or disposal of hazardous materials in quantities or conditions that would pose a hazard to public health and safety or the environment. Less than significant impacts related to the routine transport, use or disposal of hazardous materials are expected.

Mitigation Measures: None

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion:

The project site is located within the Light Industrial land use sector of the City and is separated from residential or other densely populated land uses. As previously determined in discussion a), the project is not expected to handle any significant quantities of hazardous materials. Any other use of potentially hazardous substances is expected to occur in small quantities and managed on-site with the proper containment and facilities, as required by the industry standards.

Cultivation and processing activities would involve plant treatment with organic fertilizers, insecticides, acaricides, fungicides, and other crop protection agents. The application and management methods of fertilizers and crop protection agents would be required to comply with all manufacturer-specific instructions, precautionary requirements, and accidental release measures. In most cases, it would be a violation of federal law to apply these products in a manner that is inconsistent with the instructions provided in each corresponding product labeling.

The substances used during construction and operation of the project would be stored and applied according to the manufacturer’s instructions to reduce the potential for incidental release or reactions. Cleaning of equipment shall not result in water contamination. Best management practices (BMPs) would be implemented during construction of the project. BMPs include concrete washout facilities for the cleaning of equipment or tools. During project operation the handling of substances used during cultivation would be handled according to manufacturer’s instructions by trained individuals. The products shall not be applied either in a way that come in contact with workers or other persons, directly or through drift. Only protected handlers may be present in the area during application. The application and management methods are also subject to requirements pertaining to training, decontamination, notification, and emergency assistance. Any wastes resulting from the use of these products may only be disposed of in a landfill approved for pesticide or hazardous material disposal, or in accordance with the applicable federal, state, or local procedures. Wastewater flows from the project will be required to connect to the public sewer system. Wastewater generated by the project will be conveyed to the Mission Springs Water District (MSWD) Horton Wastewater Reclamation Plant. Sewer installation and project plans will be reviewed by MSWD and City Staff to ensure wastewater capacity and compliance. See the Utilities and Service Systems section for further discussion.

The project proponent is required to develop and implement an approved Water Quality Management Plan (WQMP) to comply with the most current standards of the *Whitewater River Region Water Quality Management Plan for Urban Runoff* and the *Whitewater River Watershed MS4 Permit*. The project specific WQMP will identify a strategy of site design, source controls, and treatment controls with a required operation and maintenance program to address post-construction runoff quality and quantity. The two retention basins proposed for the project site are required to accept storm water runoff from the project building, hardscape, and parking lots.

Toxic cleaning compounds, sanitizing agents, solvents, and potentially flammable materials may also be involved within the proposed facilities. The use of these products would also be subject to the

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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manufacturer’s specifications, as well as local, state, and federal regulations that would help protect against accidental release, explosive reactions, injury, and contamination. The project may be required to enforce minimum standards as established by Riverside County Ordinances 615 and 651. The ordinances require businesses that generate, store, handle, dispose, or recycle hazardous materials to be permitted through the County of Riverside Department of Environmental Health (DEH). The project operator would be required to provide the proper storage facilities and containers designed to protect and isolate these substances, therefore minimizing the threat to the public or the environment. Facility employees shall be trained on safety rules to prevent personal or public risk. Solid waste produced by the project will be stored in a designated staging area with enclosures and disposed of following manufacturer directions. Less than significant impacts are expected.

Mitigation Measures: None

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Discussion:

The project is not located within one-quarter mile of an existing or proposed school. The nearest existing school is Two Bunch Palms Elementary, which is located approximately 0.60 miles northeast of the subject property. Desert Hot Springs High School is located approximately 1.40 miles north of the subject property. Thus, the project is not located within a quarter mile of the existing school facilities.

As mentioned throughout this document, the project site would be developed for the cultivation and processing of cannabis. The project will operate in a fully secured setting and surrounded with perimeter fencing. There will be no public access at any time. The nature of the project would not involve the use or handling of hazardous substances in quantities or conditions that would result in the release of hazardous emissions, materials or waste. Materials stored on site will be stored and applied according to manufacturer’s instructions to mitigate the potential for incidental release of hazardous materials, explosive reactions, injury and contamination. Moreover, all hazardous materials associated with the construction and operation of an industrial facility will be subject to federal, state, and local regulations. To further minimize any potential public exposure to accidental risks, proper construction and safety measures will be implemented and temporary impacts during construction will be further mitigated by standard operational procedures and protocols as well as Best Management Practices (BMPs). Less than significant impacts are expected.

Mitigation Measures: None

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

Record searches on the project property were performed within multiple database platforms compiled pursuant to Government Code 65962.5 and its subsections. The resources consulted included GeoTracker, EnviroStor, and the EPA Enforcement and Compliance History Online (ECHO).

GeoTracker is a database maintained by the State of California Water Resources Control Board that provides online access to environmental data. It serves as the management system for tracking regulatory data on sites that can potentially impact groundwater, particularly those requiring groundwater cleanup and permitted facilities, such as operating underground storage tanks and land disposal sites.

EnviroStor is a database maintained by the State of California Department of Toxic Substances Control (DTSC). The EnviroStor database identifies sites with known contamination or sites for which there may be reasons to investigate further. It includes the identification of formerly contaminated properties that have been released for reuse; properties where environmental deed restrictions have been recorded to prevent inappropriate land uses; and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.

Moreover, the ECHO database focuses on inspection, violation, and enforcement data for the Clean Air Act (CAA), Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) and also includes Safe Drinking Water Act (SDWA) and Toxics Release Inventory (TRI) data.

In January 2020, a search was performed on all three database platforms. The GeoTracker and ECHO databases listed multiple facilities within a one-mile radius of the project property. However, the search results did not identify any records or sites in connection with the subject property. The registered facilities are discussed below.

The GeoTracker database identified two facilities within a mile radius of the project property. The closest registered facility is Tri-Star Contracting, Inc., located on 15501 Little Morongo Road, approximately 0.50 miles southwest of the project. Tri-Star Contracting offers excavation, grading, demolition, trucking, and concrete work. The second facility is Desert Hot Springs City Yard, located approximately one mile northeast of the project, at 65810 Hacienda Avenue. Desert Hot Springs City Yard is a yard that stores industrial materials. Both sites are registered as Leaking Underground Storage Tank (LUST) Cleanup Sites, however, they maintain a status of “Completed - Case Closed”.

The ECHO database listed seven registered facilities within a mile radius of the project property. The facilities are listed as followed:

- Tri-Star Contracting II Incorporated, located at 15501 Little Morongo Road, approximately 0.50 miles southwest of the project. The site is listed as a Minor General Permit Covered Facility under the CWA. According to ECHO, Tri-Star Contracting has not submitted a permit and has been non-compliant since July 16, 2017. The permit is required by the National Pollutant Discharge Elimination System (NPDES) Compliance Information System (ICIS). The NPDES ICIS tracks surface water permits issued under the CWA. Under NPDES, all facilities that discharge pollutants from any point source into waters of the United States are required to obtain a permit. The permit will likely contain limits on what can be discharged, impose monitoring and reporting requirements, and include other provisions to ensure that the discharge does not adversely affect water quality.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- Desert Stage Lines is approximately 0.35 miles northwest of the project, at 65100 San Jacinto. This site is registered as an active small quantity generator (SQG) by the RCRA and does not have any violations.
- Spectrum Custom Design, Inc. is located at 65242 San Jacinto Lane, as registered on ECHO. The site is approximately 0.30 miles northwest of the project property and is listed by the RCRA as an active SQG. No violations are associated with the site.
- Kmart #4857, at 14011 Palm Drive, is approximately 0.90 miles northeast of the project site. This property is registered by the RCRA as an active transporter and does not currently hold violations.
- Walgreens #5037 is approximately one-mile northeast of the project property, located at 14001 Palm Drive. This facility is registered as an active very small quantity generator (VSQG) by the RCRA and does not currently have violations.
- Winston Tire, 14010 Palm Drive, is approximately 1-mile northeast of the project site and registered by the RCRA as an active SQG. The site does not have violations currently.
- Vons 2177 is located at 14200 Palm Drive, approximately 1-mile northeast of the project property. The site is listed as an active large quantity generator (LQG) by the RCRA and does not have any current violations.

Tri-Star Contracting II Incorporated is the only facility listed in the ECHO database with current violations within a mile radius of the project property. However, due to the facility's distance from the project (approximately 0.50 miles southwest), and the project's use as a cultivation facility, the project will not exacerbate Tri-Star Contracting II Incorporated's non-compliance with the Clean Water Act.

Unlike the GeoTracker and ECHO databases, EnviroStor did not identify a registered facility within a mile radius of the project property. The closest registered facility is Desert Hot Springs High School, located at 65850 Pierson Boulevard, approximately 1.40 miles north of the project. The site was registered as a School Investigation Site, and as of May 2003, no action has been required.

Per the records search pursuant of Government Code 65962.5, the project site was not registered as having any Leaking Underground Storage Tank (LUST) Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks onsite. The sites registered within the searched databases are not expected to impact the project property due to their distances from the project, and their statuses of Completed - Case Closed, no action, and no violations. Therefore, less than significant impacts are anticipated.

Mitigation Measures: None

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?

Discussion:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project is not located near an existing airport or airport land use plan. The nearest airport facility to the project is the Palm Springs International Airport, located approximately 6.50 miles to the south. The Bermuda Dunes Airport is approximately 18.75 miles northwest of the project. No impacts are anticipated.

Mitigation Measures: None

- | | | | | |
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| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The Safety and Noise Element of the City’s General Plan is designed to address concerns regarding the City’s capability to respond to potential natural or man-made disasters. The Element sets forth goals, policies and programs to ensure an effective response.

The City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) for a full range of fire protection services provided 24 hours a day 7 days a week. The RCFD is staffed with a combination of County and State of California Department of Forestry & Fire Protection employees. They operate 94 fire stations that serve approximately two million residents over 7,004 square miles of Riverside County. The City of Desert Hot Springs has two RCFD fire stations, Battalion 10, Station 36 and Station 37. Station 36 located at 11535 Karen Avenue is approximately 4 miles from the project site. Battalion 10, Station 37 is the City’s busiest fire station and is located at 65-958 Pierson Blvd, approximately 2 driving miles from the project. Each station is equipped with a Type I, 1500 GPM fire engine and staffed by a minimum of one company officer and one fire fighter at any given time.

In addition to the other RCFD facilities located in the Coachella Valley, the department maintains a cooperative mutual aid agreement with other agencies and communities to assist in suppressing fire or controlling emergency incidents. Mutual aid is an agreement among emergency responders to lend assistance across jurisdictions provided resources are available and is not to the detriment of their own service area. Per the City’s General Plan, agreements are in place with Palm Springs and Cathedral City. Both of these cities provide their own fire services and do not contract with RCFD/Cal Fire. The nature of the project is not expected to introduce operations that would hinder the City’s ability to implement its emergency response goals, policies or programs.

The site plan configuration of the proposed development includes fire truck accessible drive aisles and a looped driveway to ensure adequate emergency response access on-site. The proposed design would be subject to a standard review process by the Riverside County Fire Department to ensure that the site-specific emergency access, water pressure, and other pertinent criteria are met by the project. Less than significant impacts are expected.

Mitigation Measures: None

- | | | | | |
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| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

Large areas of Southern California are susceptible to wildfires all year round due to the region’s weather, topography and vegetation conditions. The Coachella Valley’s hot dry summer and autumn weather is ideal to generate the dry vegetation that fuels most wildfires. The California Board of Forestry (CDF) ranks fire hazard of wildland areas of the State using four main criteria: fuels, weather, assets at risk, and level of service. Although the project site and its general surroundings are undeveloped with scattered vegetation, these conditions have not been recognized to meet the criteria of high or very high fire hazard zones.

Wildland fire protection in California is the responsibility of either the State, local government, or the federal government. Local responsibility areas include incorporated cities where fire protection is typically provided by City fire departments, fire protection districts, counties, and by CAL Fire under contract to local government. As mentioned previously, the City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) for a full range of fire protection services provided 24 hours a day 7 days a week. The responsibility for fire prevention and suppression outside of the City boundaries is under the State and federal agencies.

The Riverside County General Plan and the Cal Fire Maps for Western Riverside County indicate that project and its surroundings are located outside of the Very High Fire Hazard Severity Zone (FHSZ) for Local Responsibility Area and outside of the Very High/High/Moderate FHSZ for State and Federal Responsibility Areas. The project will include the on-site fire protection facilities necessary to satisfy the local Fire Department requirements. Less than significant impacts related to wildland fire are expected.

Mitigation Measures: None

X. HYDROLOGY AND WATER QUALITY -- Would the project:

Sources: Flood Insurance Rate Map # 06065C0885G, Federal Emergency Management Agency, Effective August 28, 2008; Water Quality Control Plan for the Colorado River Basin Region, January 2019; Mission Springs Water District (MSWD), 2015 Urban Water Management Plan, Final Report, July 2016.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Summary of Regulatory Framework:

The Clean Water Act (CWA) of 1972 was enacted to restore and maintain the chemical, physical, and biological integrity of the nation’s waters by regulating the discharge of pollutants to waters of the U.S. from point sources. As part of the National Pollutant Discharge Elimination System (NPDES) program, subsequent amendments to the CWA established a framework for regulating non-point source discharges from urban land runoff and other diffuse sources that were also found to contribute to runoff pollution. Under CWA, the Environmental Protection Agency (EPA) authorized the NPDES permit program to various state, tribal, and territorial governments, enabling them to perform many of the

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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permitting, administrative, and enforcement aspects of the program. California is a delegated NPDES state and has authority to administer the NPDES program within its limits.

The Porter-Cologne Act is the principal law governing water quality regulation for surface waters in California. It established a comprehensive program to protect water quality and the beneficial uses of water. Presently in the state of California, the State Water Resources Control Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs) regulate and protect water quality pursuant to NPDES. Their regulations encompass storm water discharges from construction site, municipal separate storm sewer systems (MS4s), and major industrial facilities.

The approved Colorado River Basin Water Quality Control Plan (Basin Plan) identifies the beneficial water uses, describes the water quality which must be maintained to support such uses, and describes the programs, projects, and other actions necessary to achieve the standards and protect water quality. The project is located within the Whitewater River Watershed in the Colorado River Region (Region 7). As a component of Region 7, the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4) established a compliance program that covers approximately 1,645 square miles, including the Coachella Valley and City of Desert Hot Springs.

The project site is located outside of the coverage area of for the 1982 Desert Hot Springs Master Drainage Plan (MDP), by Riverside County Flood Control and Water Conservation District (RCFC). As such, there is no formal and approved MDP that applies to the project site.

Existing Drainage Conditions:

In its existing condition, the rectangular project property consists of undeveloped land with scattered vegetation coverage. The on-site elevation has a shallow gradient from 952 feet at the northwest corner to 940 feet at the southeast corner. The west edge of the site, along the frontage of Cabot Road, has been informally improved with aggregate base, while the easternmost portions of the site have been disturbed by instances of off-road vehicular circulation.

The easternmost 1.25 acres of the 5.03-acre project site is designated as part of a flood control easement associated with the Big Morongo Wash located to the east. Within this flood control easement, approximately 0.75 onsite acres are mapped by USGS as being part of a meandering wash feature trending north to south.

To comply with the flood control easement, the project site plan avoids any proposed improvements or disturbance within this designated area of 1.25 acres. The easternmost limits of development will be a fenced condition at the flood control easement line, resulting in a separation of 161 to 167 feet from the eastern property line. By preventing development within the flood control easement and mapped washed feature, the project will prevent disturbance to the known drainage course and will prevent any disturbance adjacent to the Big Morongo Wash Special Provisions Area under the Coachella Valley MSHCP. Within the limits of development, the proposed site plan identifies three proposed structures, two surface retention basins for storm water management, the associated parking lot, and driveway facilities with two access points from Cabot Road to the west.

The largely unconfined nature of local ephemeral washes has prompted Federal Emergency Management Agency (FEMA) to designate a 100-year flood plain (Zone AO designation) covering

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developed and undeveloped portions of the City, including the project site and its general surroundings. The FEMA Zone AO designation applies to areas subject to inundation by the 100-year (1-percent-annual-chance) flood at varying depths and velocities. Although the Zone AO designation applies to the entire site, published FEMA mapping subsequently discussed indicates that a majority of the project site (approximately 4.19 acres) is subject to a potential flood depth of one foot with an estimated velocity of four feet per second. The remaining easternmost portion (approximately 0.84 acres) is subject to a potential flood depth of three feet with an estimated velocity of eight feet per second.

In this context, the project is expected to implement the necessary site design features and engineering improvements to handle the existing drainage conditions in a way that prevents inundation to the proposed site and prevents obstructing the existing drainage pattern. Moreover, the proposed limits of development avoid any disturbance within the established flood control easement and mapped wash feature occupying the easternmost parts of the site.

Regulatory Compliance:

The size and nature of the proposed development prompts compliance with the existing regulations pertaining to water quality standards and waste discharge requirements during and after construction. As a result, the project proponent must comply with the State's most current Construction General Permit (CGP), Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ. Compliance with the CGP involves the development and implementation of a project-specific Storm Water Pollution Prevention Plan (SWPPP), designed to prevent potential adverse impacts to surface water quality, including erosion and siltation, during the period of construction. The required plan will identify the limits of temporary disturbance, indicating specific locations where activities will require implementation of storm water Best Management Practices (BMPs). Storm water BMPs refer to a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent, eliminate, or reduce the pollution of receiving waters. BMP examples also include treatment requirements, operating procedures, and practices to control plant site runoff spillage or leaks. Consistent with Section XIV of the CGP, the required SWPPP must also specify the necessary recordkeeping, relevant good site housekeeping requirements, proper waste management, proper handling and storage within the allowable construction limits.

Based on the project location and setting, the compliant SWPPP is expected to clearly identify the limits of disturbance and identify temporary sediment track-out prevention BMPs at each construction entrance/exit point that eventually exits to a public street or right-of-way. This type of BMP will provide temporary stabilization to prevent sediment track-out and fugitive dust emissions from exiting the site. Linear sediment barriers will be warranted along portions of the construction perimeter to prevent soil erosion impacts and sediment impacts. As construction progresses, any on-site catch basin inlets that become operational will require temporary protection to prevent sediment or pollutants from entering the on-site storm drain system. As a standard condition, any ground surface area disturbed by construction activities must be entirely covered by the SWPPP and must be properly re-stabilized to satisfy the City and NPDES requirements. Compliance with the State's CGP during construction will be regulated and enforced as part of the local agency site inspection protocols.

During construction, the project will also be required to comply with South Coast Air Quality Management District's (SCAQMD) Rule 403 and 403.1 and the City's Fugitive Dust Control Ordinance. Implementation of Fugitive Dust Control Plan primarily pertains to air quality, but also supports water quality protection

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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through the requirement of soil stabilization measures aimed at preventing sediment erosion and track-out. The concurrent implementation of the required SWPPP and Dust Control Plan plans will prevent the potential construction-related impacts to water quality, including erosion and siltation, at the site and its surroundings, therefore, resulting in less than significant impact.

As a standard requirement, the project will provide facilities to adequately retain storm water generated from the proposed light industrial uses. The preliminary engineering plans identify two proposed retention basins to accept storm water runoff from the project buildings, hardscape, and parking lots. The project proponent is required to develop and implement an approved Water Quality Management Plan (WQMP) to comply with the most current standards of the *Whitewater River Region Water Quality Management Plan for Urban Runoff* and the *Whitewater River Watershed MS4 Permit*. The project-specific WQMP will identify a strategy of site design, source controls, and treatment controls with a required operation and maintenance program to address post-construction runoff quality and quantity. The project's engineering plans and WQMP will be subject to City review and approval.

In summary, during construction and operation, project implementation will require compliance with CWA, NPDES, and local regulations to prevent impacts to water quality standards and the beneficial uses assigned to local receiving waters. As proposed, the stormwater capture and management strategy for on- and off-site runoff will reduce waste discharge violations through the implementation of properly sized retention facilities. Less than significant impacts are expected.

Mitigation Measures: None

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| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The project is not located on or near any existing or planned groundwater recharge site, such that it would result in any conflict or obstruction with such types of facilities. Local groundwater resources are managed under the Missions Springs Water District (MSWD) 2015 Urban Water Management Plan (UWMP). In the Coachella Valley Region, groundwater resources are managed by a partnership among MSWD, Coachella Water Authority (CWA), Coachella Valley Water District (CVWD), Desert Water Agency (DWA), and Indio Water Authority (IWA) under the Coachella Valley Integrated Regional Water Management (IRWM) program. The project site is specifically underlain by the Mission Creek Subbasin. The UWMP acknowledges that continued artificial groundwater recharge efforts are necessary to eliminate or reduce the groundwater overdraft condition. MSWD, DWA, and CVWD presently manage the Mission Creek Subbasin resources and its replenishment efforts under the terms of a 2004 settlement agreement. Groundwater management is also guided by the evaluation and water use strategies identified in the UWMP. As required by the policies of the General Plan, the City continues to cooperate with MSWD and other agencies in implementing a groundwater replenishment program capable of ensuring the viability of the Mission Creek Subbasin.

Water use and conservation strategies identified in the UWMP incorporate demographic data and planned land use conditions identified in local plans (e.g. existing City of Desert Hot Springs General

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Plan) to forecast the development intensities and other growth factors as they relate to achieving the most efficient use of groundwater resources. Water uses within MSWD’s service area are categorized by service sector, with industrial uses being aggregated with the categories of institutional and irrigation. As such, industrial uses represent less than 2 percent of the total number of water service connections tabulated as part of the approved UWMP, while the actual demand for potable water corresponding to industrial, institutional, and irrigation uses account for approximately 13.6 percent of the total demand during the same year. Due to the sector aggregation, industrial uses represent a portion of the 13.6 percent. The proposed development is consistent with the designated land use and development intensity reflected in the adopted General Plan and therefore is not expected to conflict with existing groundwater management objectives. The proposed operation will be expected to implement water conservation measures to reduce impacts to public water supplies. These measures must include low-flow plumbing fixtures, drought-tolerant (native) outdoor landscaping, and water-efficient irrigation systems. As a standard condition for service connections, the project will be expected to furnish the appropriate payment to MSWD based on the meter size, ongoing flow charges, agency fees, and groundwater recharge fees. Additional domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City’s standard review process.

Furthermore, the site plan identifies two on-site infiltration basins designed to retain the project’s post-development stormwater runoff volume resulting from the controlling storm event. These on-site facilities will operate by infiltrating the required stormwater volume instead of allowing it to leave as runoff, therefore contributing to the locally accepted groundwater recharge efforts. As such, less than significant impacts are expected.

Mitigation Measures: None

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- i) Result in substantial erosion or siltation on- or off-site;

Discussion:

The project property consists undeveloped land with a relatively level terrain. The existing property frontage along Cabot Road to the west lack street improvements and gutter facilities. Based on USDA’s Natural Resources Conservation Service, the on-site soil corresponds to hydrologic soil group A, which is characterized for having high infiltration rates and low runoff potential. Stormwater runoff generated on the existing undeveloped condition would be expected to follow the shallow gradient toward the southeast. The easternmost 1.25 acres of the 5.03-acre project site form part of a flood control easement with a mapped portion of a wash feature. The identification and mapping of the mentioned wash is reflected in the current and historic United States Geological Survey (USGS) Topographic Maps (Desert Hot Springs Quadrangle) and in the USGS National Hydrography Dataset (NHD). As previously discussed in this Hydrology and Water Quality Section, the project site plan and development area

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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boundaries avoid any disturbance or improvements within the designated flood control easement. As such, the associated wash feature will remain unobstructed with the project implementation.

The proposed development would convert the undeveloped property (pervious condition) into a facility with buildings, hardscape, and paving. The increase in impervious land cover would normally result in an increase in the rate and amount of surface runoff produced by a site. However, as a project design feature and in compliance with the local drainage requirements, the project will include a stormwater retention system that during the life of the project will capture and infiltrate the entirety of runoff from the development up to the controlling storm event. On-site erosion and sedimentation will be prevented through the proper design of stormwater conveyances as part of the grading and improvement plans. The project will also contribute to the improvement of the Cabot Road frontage to facilitate local drainage. With the proposed on-site storm drain system and frontage improvements subject to City review and approval, less than significant impacts are expected pertaining to erosion or siltation, on- or off-site.

Mitigation Measures: None

- ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying potential hazards and determining the need for and availability of federal flood insurance. Based on FEMA FIRM Panel Number 06065C0885G, effective August 28, 2008, the entire project area is covered by Zone AO, which applies areas subject to inundation by the 100-year (1-percent-annual-chance) flood. Within these conditions, the development area of the project is subject to inundation with a depth of 1 (one) foot and an average velocity of four (4) feet per second. The easternmost portion of the project site, which will not be developed, is subject to inundation depths of 3 (three) feet with an average velocity of 8 (eight) feet per second. The project property occurs in a designated light industrial district with the flood zone designation. The project would introduce impervious surfaces (buildings, hardscape, asphalt, etc.) to a presently undeveloped (pervious) ground condition. Two surface retention basins are proposed in order to manage the associated runoff condition from project-related impervious surfaces. These facilities will be sized to accept and infiltrate the worst-case increase in runoff volume between the pre- and post-development condition resulting from the 100-year controlling storm event. Only runoff quantities in excess of the storm drain system capacity will be allowed to leave the site at evenly distributed points and in a manner consistent with the historic drainage conditions. As such, the proposed development is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Less than significant impacts are anticipated.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The City of Desert Hot Springs is a Permittee of the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4) permit area. Within the City limits, MS4 facilities include a system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) designed for collecting and conveying stormwater. Storm drain facilities can be public or private. Examples of public facilities include pipes, gutters, channels, and basins occurring on the public right-of-way and/or maintained by a public agency. Private facilities are distinguished by being maintained separately by a private entity.

The undeveloped project area and surroundings are absent of any permanent storm drain facilities. The lack of street improvements to the west also indicates the lack of stormwater infrastructure in this portion of the City. By incorporating an on-site drainage system sized for the controlling 100-year storm event, the project will prevent runoff contribution to the City's MS4 facilities. By introducing curb and gutter improvements as necessary along the project site frontage of Cabot Road, the project will improve upon the City's MS4 condition and capacity. Less than significant impacts are anticipated.

Mitigation Measures: None

iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The easternmost portion of the project site is traversed by a portion of a wash feature. This condition occurs within the designated flood control easement. The limits of development will comply with the flood control easement by avoiding improvements and disturbance on this portion of the property, therefore preventing any hydromodifications, such as impediments or redirection of flows. For the on-site condition, two proposed retention basins will accept stormwater volume up to the controlling 100-year storm event. Any stormwater volume or flood flows in excess of the retention capacity will be conveyed across the site along distributed points and in a manner consistent with the prevailing drainage conditions. Based on the corresponding FEMA FIRM Panel (06065C0885G), the Flood Zone AO designation applicable to the site indicates potential inundation to a depth of one (1) foot and an average velocity of four (4) feet per second. On-site grading and storm drain improvements would be required to control the drainage condition up to this standard.

The associated grading and hydrology plans will be subject to City review and approval. In doing so, the project will not be permitted to impede or redirect flood flows, resulting in less than significant impacts.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The entire project area and its immediate surroundings are located within the Zone AO designation, which applies to areas subject to inundation by the 100-year (1-percent-annual-chance) flood at varying depths and velocities. Within the development area of the project property, the potential flood depth is one (1) foot and the corresponding velocity is four (4) feet per second. As a standard requirement, the project is incorporating on-site retention facilities to handle project-related runoff volume, while off-site flows in excess of the retention capacity will need to be conveyed adequately across the site in a distributed manner to prevent property damage and hydrologic modifications off-site. All materials and chemicals associated with the cultivation operations will be stored in adequate containment indoors following the State’s standards, such that they are protected from potential inundation. With these required improvements subject to City review and approval, less than significant impacts are anticipated pertaining to flood hazard. Moreover, due to the project’s location, tsunami and seiche zones are not expected.

Mitigation Measures: None

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| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

As discussed previously, the project proponent is required to implement a project-specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff, Whitewater River Watershed MS4 Permit. The WQMP will incorporate grading, hydrology, and other plans to document the site design, source controls, and treatment controls with a required operation and maintenance program to comply with the hierarchy water quality objectives. Moreover, the project’s storm water retention facilities will ensure that urban runoff is recharged into the ground via infiltration. Combined with the required water conservation practices, the project is expected to contribute to the groundwater sustainability efforts implemented for the Coachella Valley region. Less than significant impacts are anticipated.

Mitigation Measures: None

XI. LAND USE AND PLANNING - Would the project:

Sources: Desert Hot Springs General Plan, 2020; Desert Hot Springs Municipal Code.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The project site sits on approximately 5.03 gross acres of vacant desert land east of Cabot Road and approximately 330 feet north of 15th Avenue. The site is zoned Light Industrial (I-L) in the western portion of the site and Open Space Floodways (OS-FW) in the eastern portion of the site. I-L designations

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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provides for business parks and the development of light industrial uses, as designated by the City of Desert Hot Springs. The eastern portion of the project property is designated OS-FW due to its adjacency to the Big Morongo Wash corridor. This portion of the site will remain in its natural state and will not be developed. The currently undeveloped project property is surrounded by vacant desert land to the north, east, south and west. The western property boundary is delineated by Cabot Road, which is unimproved. The Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) Conservation Area lies immediately north and east of the project site, due to the project's adjacency to the Big Morongo Wash corridor. Conclusively, there is no established community pattern in the project vicinity that would be divided by the project. Less than significant impacts relative to the division of an established community are expected.

Mitigation Measures: None

- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion:

The applicant is processing a Conditional Use Permit to construct facilities for the indoor cultivation and processing of cannabis. The project is zoned Light Industrial, which is intended to accommodate all industrial uses operating entirely in enclosed buildings, requiring limited and screen-able outdoor storage space and cannabis cultivation and processing facilities. The project site is largely segregated from the City's intense residential and commercial uses and is consistent with the City's General Plan land use designation. The project is located within an industrial district in the City and is considered consistent with the permitted locations established under Municipal Code Chapter 17.180.

The project includes approval of a Conditional Use Permit (Municipal Code 17.180.090) and Regulatory Permit (Municipal Code Chapter 5.50) to thoroughly evaluate the design and operation of the proposed facility and render it in full compliance with City regulations. In addition, all cannabis cultivation and processing operations and any related activities, such as transportation, manufacturing, and testing, would be subject to existing and proposed State laws.

The project's physical characteristics and internal operations will not conflict with the City's land use, zoning or other regulatory policies. Site design features will be reviewed and approved by the City relative to compliance with the City's General Plan and Zoning. Less than significant impacts are expected.

Mitigation Measures: None

XII. MINERAL RESOURCES -- Would the project:

Sources: Desert Hot Springs General Plan, 2020; Riverside County General Plan, 2015.

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

Discussion:

In accordance with the Surface Mining and Reclamation Act of 1975 (SMARA), mineral land classification maps and reports have been developed to assist in the protection and development of mineral resources. Local agencies, including the City of Desert Hot Springs, utilize the existing information on mineral classifications for land use plan development and decision-making. According to the SMARA map of Desert Hot Springs, the project and its surroundings are located within Mineral Resource Zone 3 (MRZ-3), which applies to areas where the significance of mineral deposits cannot be evaluated from the available data. There are no specific known mineral resource deposits or facilities on or near the project. Additionally, the land use designation for the site is not compatible with mining operations.

The project site is adjacent to the Big Morongo Canyon Wash. These drainage courses have conditions where sand and gravel deposits may occur, but they are located within designated Conservation Areas of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), and therefore, are not an accessible mineral resource site. Additionally, the land use designation for the site is not compatible with mining operations.

The nature of the project does not involve the extraction of mineral deposits. Construction of the proposed cultivation facility would rely on existing local and regional aggregate resources from permitted facilities. The project is not expected to result in a considerable extraction and/or loss of known mineral resources that are considered important to the Coachella Valley Region or residents of California. Less than significant impacts are expected related to the loss of availability of known mineral resources.

Mitigation Measures: None

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion:

Mineral resources that are known to exist in the Coachella Valley region primarily consist of sand and gravel (aggregate) typically deposited along and near local drainages. Aggregate material is deemed necessary to the local building industry as a component of asphalt, concrete, road base, stucco and plaster. Local or regional construction industries tend to be dependent on readily available aggregate deposits within reasonable distance to the market region. The project site is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, City of Desert Hot Springs General Plan or the resource maps prepared pursuant to SMARA. The project is located near the regional drainage system, the Big Morongo Wash, which is designated as a conservation area of the CVMSHCP. Project development will not occur within the drainage course. Less than significant impacts are expected.

Mitigation Measures: None

XIII. NOISE -- Would the project result in:

Sources: Desert Hot Springs General Plan, 2020; Desert Hot Springs General Plan Environmental Impact Report, 2020; Desert Hot Springs Municipal Code.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Noise is simply defined as unwanted sound that interferes with normal activities or diminishes the quality of the environment. Sounds also becomes unwanted when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). An A-weighted decibel (dBA) is an expression of the relative loudness of sounds in air as perceived by the human ear. In an A-weighted system, the decibel value of sounds at low frequencies are reduced compared with unweighted decibels, in which no correction is made for audio frequency. Excessive noise or prolonged exposure to noise can contribute to temporary and permanent impairments, such as hearing loss, fatigue, stress, sleep deprivation, anxiety and annoyance. Although noise has been accepted as a necessary by-product of urban development, it can become an environmental hazard. Various components of the urban environment generate noise, such as construction equipment and activities, motor vehicles, air traffic, mechanical equipment, and household appliances.

The most common sound range for human exposure is between 40 dB (very quiet) and 100 dB (very loud). Community noise impacts are commonly evaluated using the Community Noise Equivalent Level (CNEL) noise index, which reduces the combined effect of daily noise exposure to a single number. The value computed by this method is the sum of the decibel values of sound, averaged over 24 hours, with corrections for time of day, such as a 5 dBA penalty for noises occurring during the evening time period (from 7 p.m. to 10 p.m.) and a 10 dBA penalty for noises occurring during the nighttime period (from 10 p.m. to 7 a.m.).

According to the Desert Hot Springs General Plan (DHS GP) Environmental Impact Report (EIR), the City’s noise environment can be characterized as relatively quiet, with the primary sources of noise being motor vehicle traffic on highways and major arterials. The City of Desert Hot Springs has the authority to establish land use noise standards and corresponding restrictions under the City’s Noise Ordinance. The range of noise standards apply to different receiving land uses based on sensitivity and compatibility. The land use and noise standards are displayed in Table SN-2, Community Noise and Land Use Compatibility, from the DHS GP Noise Element. The proposed corresponding cultivation and processing facility corresponds to the land use category of “Industrial”, based on the property’s land use designation. For this category, the recommended “normally acceptable” noise limit ranges from 50 to 65 dBA. Noise levels up to 80 dBA are considered “conditionally acceptable” for industrial uses. This is depicted in Table SN-2 from the General Plan:

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

Table SN-2
Community Noise and Land Use Compatibility

Land Uses	CNEL, dB						
	50	55	60	65	70	75	80
Residential land uses: Single and multifamily dwellings,	A	A	B	C	C	D	D
Residential land uses: Mobile homes	A	B	C	C	D	D	D
Transient lodging: Hotels and motels	A	A	B	B	C	C	D
Schools, libraries, churches, hospitals, nursing homes & convalescent hospitals	A	A	B	C	C	D	D
Recreation land uses: Golf courses, open space (with walking, bicycling or horseback riding trails, etc.)	A	A	A	A	B	C	C
Playgrounds, neighborhood parks	A	A	A	B	C	D	D
Office building, person business, and professional services	A	A	A	B	B	C	D
Commercial land uses: Retail trade, movie theaters, restaurants, bars, entertainment activities, services	A	A	A	A	B	B	C
Heavy commercial/industrial: wholesale, manufacturing, utilities, transportation, communications	A	A	A	A	B	B	B
Auditoriums, concert halls, amphitheaters, music shells, meeting halls	B	B	C	C	D	D	D

Explanatory Notes:

- A. Normally Acceptable: With no special noise reduction requirements assuming standard construction.
- B. Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirement is made and needed noise insulation features included in the design.
- C. Generally Unacceptable: New construction is discouraged. If new construction does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design.
- D. Land Use Discouraged: New construction or development should generally not be undertaken.
- E. The residential exterior noise standard of 65 dBA shall generally be applicable only to outdoor living areas, such as rear yard areas.

The project property is located on undeveloped land surrounded by vacant land to the north, east, south and west. The project and the surrounding area are designated as Light Industrial in the Desert Hot Springs General Plan which provide for business parks and the development of any and all industrial uses operating entirely in enclosed buildings and those requiring limited and screen-able outdoor storage. Project related noise during construction and operation is further analyzed as followed.

Construction

Construction of the project site is expected to generate short-term noise increases compared to the existing levels. A temporary incremental increase in noise levels along local roadways is expected to occur during the transport of workers and equipment to and from the site. Noise increases will also be generated by the actual on-site construction activities. Equipment used during the construction phases would generate both steady state and episodic noise that would be heard both on and off the project site. The project is surrounded by vacant land to the north, east, south and west. The closest property to the project includes an industrial facility approximately 330 feet west of project boundaries. There are no residential uses, schools, or other sensitive receptors near the project site. The nearest residential structure and school are located approximately 0.54 miles (2,851 feet) from the project site. Thus, noise

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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levels generated by the project construction is not anticipated to substantially impact surrounding properties or sensitive receptors.

Noise levels generated during various construction phases are presented in Table XXXI-1, Typical Maximum Noise Levels for Construction Phases, below. Equipment estimates used for the analysis for grading and building construction noise levels was provided by the U.S. Department of Transportation and are representative of worst-case conditions, since it is unlikely that all the equipment contained on-site would operate simultaneously.

**Table XXXI-1
Typical Maximum Noise Levels for Construction Phases**

Construction Phase	Appropriate Leq dBA without Noise Attenuation			
	25 Feet	50 Feet	100 Feet	200 Feet
Clearing	90	84	78	72
Excavation	94	88	82	78
Foundation/Conditioning	94	88	82	78
Laying Subbase/Paving	85	79	73	67

Source: U.S. Department of Transportation, Construction Noise Handbook, Chapter 9.0, August 2006.

During construction, the project shall follow common industry standards that will help limit noise level increases. For example, all construction equipment, fixed or mobile, should be equipped with properly operating and maintained mufflers and the engines should be equipped with shrouds. Approved haul routes shall be used to minimize exposure of sensitive receptors to potential adverse levels from hauling operations. All construction equipment shall be in proper working order and maintained to reduce backfires. Grading activities would involve the use of standard earth moving equipment, which would be stored on the site during construction to minimize disruption of the surrounding land uses. Above-grade construction activities would involve the use of standard construction equipment, such as hoist, cranes, mixer trucks, concrete pumps, laser screeds and other related equipment.

Construction traffic and equipment is also anticipated to generate noise along access routes to the proposed development. The larger pieces of heavy equipment would be moved onto the development only one time for each construction activity (i.e. site prep, grading, etc.). Daily transportation of construction workers and the hauling of materials both on and off the project site are expected to cause increases in noise levels along surrounding roadways.

As a standard requirement, the project is expected to abide by the Municipal Code regulations on construction hours, which limit activities to the less sensitive times of the day. Construction activities are only permitted between 7:00 a.m. and 5:00 p.m. Monday through Saturday. During daylight savings time, construction is permitted between 6:00 a.m. and 6:00 p.m. Monday through Saturday. Construction is not permitted on Sundays and national holidays. Therefore, construction of the project is required to occur during the permitted hours to minimize noise impacts generated by development. Additionally, the project will utilize construction equipment compliant with industry standards. Less than significant impacts are anticipated during project construction.

Operation

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The vacant project property is located east of Cabot Road and north of 15th Avenue in Desert Hot Springs’s Light Industrial District. The area surrounding the project is characterized by vacant land similar to the project site. The project is separated from land uses that are sensitive to noise levels. The closest structure to the project is located approximately 330 feet west of the project boundaries, and also lies within the City’s Light Industrial land use designation. According to the DHS GP, industrial operations can create substantial noise problems. Warehousing operations and other acoustically unscreened operations, such as chillers, refrigerator units and heating/air conditioning equipment associated with commercial centers will raise issues of impact and compatibility. These can be mitigated through design features such as sound barriers including walls, landscaping and placement of the equipment. There are no residential uses, schools, or other sensitive receptors near the project site. The nearest residential structure and school are located approximately 0.54 miles (2,851 feet) from the project site.

In addition to stationary sources, the Noise Element of the DHS GP identifies vehicular traffic as the principal source of noise in the community. To understand and evaluate the impacts of land use patterns, traffic and development on the noise environment, computer models and simulations were used to calculate transportation noise along major roadways based upon the operating characteristics and traffic volumes. The calculations identify the projected noise contours along major roadways at General Plan Buildout in Table V-5 in the DHS GP. Per Table V-5, Two Bunch Palms Trail and Little Morongo Road are the two closest major roadways to the project property. However, noise from these roadways are not anticipated to impact the project due to the roadway’s distance from the project property (approximately 0.37 miles north and west, respectively).

The project, as stated throughout this environmental document, is proposing a cultivation facility, with a 10,026-square-foot office and processing building, and two 14,994-square-foot greenhouse buildings on approximately 3.77 net acres of vacant land. During the life of the project, all cultivation operations shall be conducted in the interior of enclosed structures, facilities and buildings, as mandated by the local zoning ordinance. All cultivation operations, including materials management, will occur indoors and within the fenced limits. Outdoor activities will be limited. These include vehicular access and circulation in the project’s parking lot and drive aisles; access to the trash enclosures for waste management (disposal and pick-up); access to the outdoor utilities for maintenance purposes (i.e. storm drain system components, chillers, HVAC equipment, etc.).

While the project would result in an increase in noise levels compared to the existing vacant condition, the nature and intensity of operations that would occur in the proposed structures are not expected to result in the generation of noise levels that would surpass the community noise and land use compatibility standards. Additionally, the project may result in an incremental increase in traffic-related noise levels on the local roadways, however, it would not create a substantial increase in noise levels. Noise generated by the project site is anticipated to be similar to the existing light industrial uses in nearby areas. Less than significant impacts are expected.

Mitigation Measures: None

- b) Generation of excessive groundborne vibration or groundborne noise levels?

Discussion:

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

Groundborne vibration also referred to as earthborne vibration, can be described as perceptible rumbling, movement, shaking or rattling of structures and items within a structure. Groundborne vibration can generate a heightened disturbance in residential areas. These vibrations can disturb residential structures and household items while creating difficulty for residential activities such as reading or other tasks. Although groundborne vibration is sometimes perceptible in an outdoor environment, it does not result in the degree of disturbance that is experienced inside a building. Groundborne vibration can be measured in terms of amplitude and frequency or vibration decibels (VdB). Trains, buses, large trucks and construction activities that include pile driving, blasting, earth moving, and heavy vehicle operation commonly cause these vibrations. Other factors that influence the disturbance of groundborne vibration include distance to source, foundation materials, soil and surface types.

The project is surrounded by vacant to the north, east, south and west. The closest facility to the project property is located approximately 330 feet west of the project. The existing source of groundborne vibration is attributed to the circulation of vehicles and trucks along the surrounding roadways, however, due to the vacancy of the surrounding area and project distance from popular roadways, it can be assumed that groundborne vibration is not typically experienced at the project site.

Construction of the project will involve the temporary operation of vehicles and equipment that could result in localized, short term vibration increases during the permitted hours of construction established by the City. All construction equipment staging will be located within the temporary construction limits, while vehicular and equipment access to the construction site would be restricted to only the approved entry points that minimize disturbance to local traffic. Short-term increases in vibration and sound during construction are not expected to result in significant impact.

After construction, the nature of the proposed cultivation and processing facility would not typically involve activities expected to generate excessive vibration or groundborne noise. All activities within the project will be required to adhere to the City’s Noise Ordinance. Less than significant impacts are anticipated.

Mitigation Measures: None

- c) For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Discussion:

The project site is located approximately 6.50 miles north of Palm Springs International Airport, and 18.75 miles northwest of the Bermuda Dunes Airport. Therefore, the project site is not located within two miles of a public airport or the vicinity of a private airstrip, and as such, no impact related to the exposure of people residing or working in the project area to excessive airport related noise levels is anticipated.

Mitigation Measures: None

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. POPULATION AND HOUSING – Would the project:

Sources: Desert Hot Springs General Plan, 2020; Desert Hot Springs Municipal Code.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

As a part of the entitlement process, the project applicant will submit a Conditional Use Permit (CUP) for the development of a facility for the indoor cultivation and processing of cannabis. The approximately 3.77-net-acre project is compatible with operations and uses permitted in the Light Industrial (I-L) zone with the approval of the CUP. The project will have approximately 14 employees during operation. The project may encourage relocation for employment; however, considering the facility’s purpose and comparison with other light industrial uses, employment generated through these facilities would not be substantial. The project does not have a residential component and improvements to roads and other infrastructure will be associated with the cultivation and processing facility and would not induce substantial growth to the area. Less than significant impacts are expected.

Mitigation Measures: None

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The entire property is currently vacant land designated by the City General Plan and zoning for light industrial activity and would not displace any existing housing or require replacement housing. No impacts are anticipated.

Mitigation Measures: None

XV. PUBLIC SERVICES

Sources: Desert Hot Springs General Plan, 2020; Desert Hot Springs Municipal Code.

- a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) for a full range of fire protection services provided 24 hours a day, 7 days a week. The RCFD is staffed with a combination of County and State of California Department of Forestry & Fire Protection employees. They operate nearly 100 fire stations that serve approximately two million residents over 7,004 square miles of Riverside County. The City of Desert Hot Springs has three RCFD fire stations, Battalion 10 Station 36, Battalion 10 Station 37, and Battalion 10 Station 57 (refer to the Hazards and Hazardous Materials Section for Station locations). Each station is staffed by 8.2 full time personal and each shift has 3 professionals, consisting of a Fire Captain/and or engineer and one or two Firefighter II / licensed paramedic on duty at all times. Each station is also equipped with a Type I, 1500 GPM fire engine.

In addition to the other RCFD facilities located in the Coachella Valley, the department maintains a cooperative mutual aid agreement with other agencies and communities to assist in suppressing fire or controlling emergency incidents. Mutual aid is an agreement among emergency responders to lend assistance across jurisdictions provided resources are available and is not to the detriment of their own service area. Per the City’s General Plan, agreements are in place with both Palm Springs and Cathedral City. These cities provide their own fire services and do not contract with RCFD/Cal Fire. Further discussion of this topic is found within the Hazards and Hazardous Materials discussion of this document.

The project proposes the development of a cultivation facility with associated improvements such as retention areas, landscaped features, and paved drive aisles and parking spaces. Project implementation will include the development of a 10,026-square-foot building for offices and the processing of cannabis, and two 14,994-square-foot greenhouses, for a total of a building floor area of 40,014 square feet (sf) at total buildout.

Development of the proposed project is not expected to have a significant impact on fire services nor cause an undue hardship to the fire department. The development could be adequately served without the expansion of a new fire facility and adequate response times would be met. Additionally, the project would be required to implement all applicable and current California Fire Code Standards. This would include installation of fire hydrants as well as sprinkler systems inside the buildings. Furthermore, the project will be reviewed by City and Fire officials to ensure adequate fire service and safety as a result of project implementation. The project will also be required to comply with the City’s Development Impact Fees (DIF) to assist with the funding of public facilities and services, including fire, therefore, less than significant impacts are expected.

Mitigation Measures: None

Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Police services are provided to the project area by the Desert Hot Springs Police Department. The police department operates out of a single location and is located at 65-950 Pierson Blvd, approximately 2 miles from the project site. The DHSPD has 27 sworn officers and 6 support staff, totaling 33 positions. The department serves a population of 29,251 residents. The project could result in additional incident call

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

and responses but not to the extent that would delay response times or create demands that would require the construction of a new police station or other facilities.

Furthermore, the project will be reviewed by City and Police officials to ensure adequate police service and safety as a result of project implementation. The project will also be required to comply with the City's Development Impact Fees (DIF) to assist with the funding of public facilities and services, including police, therefore, less than significant impacts are expected.

The project proposes the development of a cannabis cultivation facility and associated improvements on a 5.03 gross-acre site. The project site will be secured with wrought iron or tubular steel fencing. At buildout, the facility will have an approximate total building area of 40,014 square feet.

Security measures have been thoroughly incorporated into the project in addition to on-site security. The site will be entirely enclosed within perimeter security fencing and gated entry/exit drives will control vehicular access onto and off the property. Security cameras will be mounted on all exterior doors, perimeter fencing and entry gates. A more detailed, comprehensive security plan is required by the City during the regulatory permit phase. This will include specific locations and areas of coverage by security cameras; location of audible interior and exterior alarms; location of exterior lighting; name and contact information of Security Company monitoring the site and any additional information required by the City.

Although the project may require additional demand for police services, the demand is not expected to hinder the City's ability to provide police protection services and adequate response times would be met. Furthermore, the project will be reviewed by City and Police officials to ensure adequate police service and safety as a result of project implementation. The project will also be required to comply with the City's Development Impact Fees (DIF) to assist with the funding of public facilities and services, including police, therefore, less than significant impacts are expected.

Mitigation Measures: None

Schools?

Discussion:

The proposed project falls under the Palm Springs Unified School District (PSUSD). Development of the project would not create a direct demand for school service. The project proposes the development of a cannabis cultivation facility. Employment generated by the project would not be expected to draw a substantial number of new residents that would generate school age children requiring public education or substantially alter school facilities or the demand for public education and no new facilities would need to be constructed. At the time of writing, current development fees are \$3.79 a square foot for residential and \$.61 a square foot for commercial projects. Therefore, implementation of the of the proposed project is not expected to increase the demand for school facilities or result in facility deterioration. Less than significant impacts to school facilities are anticipated.

Mitigation Measures: None

Parks?

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

As discussed below in Section XVI(a) and XVI(b), the proposed project would not create additional demand for public park facilities, nor result in the need to modify existing or construct new park facilities. No impacts are expected to parks.

Mitigation Measures: None

Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

No increase in demand for government services and other public facilities is expected beyond those discussed in this section. No impacts to other public facilities are expected.

Mitigation Measures: None

XVI. RECREATION

Sources: Desert Hot Springs General Plan, 2020; Desert Hot Springs Municipal Code.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

As discussed in the project description, the project proposes to construct three buildings specifically geared for indoor cultivation and processing of cannabis. Properties immediately to the north, east, south and west of the project are in a vacant state with similar conditions to those found on-site. No residential land uses are proposed and the approximate proposed employees working various shifts would not cause a substantial increase to the current existing neighborhood community, regional or local parks. Therefore, no impacts are expected relative to use or deterioration of existing parks.

Mitigation Measures: None

b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The construction of the proposed cultivation facility, located within an area zoned Light Industrial, will not involve a recreational facility. No construction or expansion of other recreational facilities is required for project implementation and no impacts are anticipated.

Mitigation Measures: None

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. TRANSPORTATION -- Would the project:

Sources: *California Emissions Estimator Model*TM (CalEEModTM) Version 2016.3.2, California Air Pollution Control Officers Association (CAPCOA); Desert Hot Springs General Plan, 2020; Desert Hot Springs Municipal Code; *Traffic Census Report*, Coachella Valley Association of Governments, 2015. Riverside County Transportation Commission, Long Range Transportation Study, December 2019; California Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with a program plan, ordinance or policy the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The project proposes to construct a cannabis facility for the purposes of indoor cultivation and processing with supporting infrastructure improvements on approximately 5.03 acres in accordance with City Ordinance 552 and 553. The property is zoned Light Industrial; this zone is intended to provide for any and all industrial uses operating entirely in enclosed buildings, and those requiring limited and screenable outdoor storage space. The project site is largely segregated from the City’s intense residential and commercial uses. The property is surrounded by designated Industrial land uses to the north, west and south. Conservation and Open Space land uses are located to the east. Therefore, no future land use conflicts with residential or commercial uses are anticipated. This is consistent with the City’s General Plan land use designation.

The proposed cultivation facility is located east of Cabot Road and between Palomar Lane and 15th Street. The project site will have two gated entry points, one for primary access, and one for emergency and secondary access. The two access points will be located on the west side of the property on Cabot Road. Cabot Road is currently an unpaved dirt road with no curb or gutter.

The site will be entirely enclosed within perimeter security fencing. The gated entry/exit drives will control vehicular access onto and off the property. A paved surface is proposed for the main drive aisles and parking areas. The proposed surfaces and entry/exit drives will improve accessibility of the site. The project will be developed in two Phases. Circulation and parking will be consistent with City parking standards as determined by City Staff.

Operations are anticipated to be similar to that of a standard wholesale nursery. Hours will be consistent with Ordinance 552. Cannabis facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. The cultivation of cannabis requires staff to be present on premises 24 hours per day. Only authorized staff and delivery personnel will be allowed to enter the premises outside of operation hours.

Average Daily Trips (ADT) refers to the total number of vehicles that travel a defined segment of roadway over a twenty-four hour period. The standard most often used to evaluate the operating conditions of the transportation system is called level of service (LOS). LOS is a qualitative assessment of the quantitative

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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effect of factors such as: speed and travel time, traffic volume, geometric features, traffic interruptions, delays, and freedom to maneuver, driver comfort and convenience, and vehicle operating costs. LOS allows operating conditions to be categorized as LOS “A” through LOS “F”, where LOS “A” represents the most favorable free flow condition and LOS “F” the least favorable forced flow driving condition. The LOS categories are based on relative levels of driver acceptability of various delays. A given lane or roadway may provide a wide range of service levels, depending upon traffic volumes and speeds.

Roadway capacity has been defined as the maximum number of vehicles that can pass over a given roadway during a given time period under prevailing roadway and traffic conditions. The capacity of a roadway used for design purposes (generally defined as LOS D) is the level at which the facility is handling the maximum traffic volume that it can accommodate while maintaining an acceptable level of driver satisfaction. The City of Desert Hot Springs has defined Level of Service "D" as the minimum adequate intersection service level during peak hours for planning and design purposes.

Project Impacts

Cabot Road is designated as a Local Collector, with a proposed 60 ft right-of-way, 2 lanes undivided with on-street parking. The General Plan roadway designations are determined based on projected traffic numbers associated with land use. The project is consistent with the General Plan Land Use Designation. The project will be conditioned to improve the adjacent portion of Cabot Road to its ultimate condition. The improvements are identified as a half-width (30 ft.) section, including paving, gutter, sidewalk and landscaped parkway. Final Street Improvement Plans will be reviewed and approved by the City.

Cabot Road gains access to the local roadway system primarily at Two Bunch Palm Drive. Two Bunch Palms Drive is designated as a Minor Arterial, with a proposed 110 foot right of way, two lanes and periodic street parking. General Plan roadway designations are determined based on the projected traffic numbers associates with land use. The project is consistent with the General Plan Land Use Designation. The project will be required to improve the Cabot Road Frontage. The improvements are identified as a half-width (50 ft) section including paving, gutter, sidewalk and landscaped parkway. Final Street Improvement Plans will be reviewed and approved by the City.

The Transportation and Traffic Section of the City’s General Plan Environmental Impact Report (DHSGP EIR) indicates that the Two Bunch Palms Trail segment between Little Morongo Road and Cholla Drive has an existing ADT of 12,141.

In 2015 the CVAG Traffic Census Report indicated an ADT of 11,442, In 2017 the CVAG Traffic Census Report indicated an ADT of 11,890. While the traffic census counts demonstrate that ADT on Two Bunch Palms Trail has increased in the past 16 years, street improvements have been designed to accommodate those conditions.

Table 4.17-9 in the DHSGP EIR, 2040 Baseline Conditions Roadway LOS, indicates that the segment of Two Bunch Palms nearest to the project will accommodate 14,600 ADT. Table 4.17-9 also indicates that Two Bunch Palms Trail between Little Morongo Road and Cholla Drive will function with a LOS of A with the proposed improvement buildout to 4 lanes undivided.

The project is anticipated to have a maximum of approximately 14 employees. With an assumed 3 ADT per employee, total trips associated with the project are estimated to add approximately 42 ADT to the local roadway system. This total is approximately 0.29% of the projected 14,600 ADT. With the

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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construction of the improvements along the project frontage, this increase will not significantly impact the LOS of Two Bunch Palms Trail.

The proposed cultivation facility will function as a specialized operation that is representative of nurseries with wholesale distribution components. Prior to approval, the proposed site circulation, including offsite street design standards and the project's fair share portion of offsite street improvements will be reviewed by the City as part of the site and conditional use analysis. As a Standard Condition, the applicant shall complete adjacent roadway improvements as designated by the General Plan.

Alternative Transportation

SunLine Transit Agency provides bus services to the City of Desert Hot Springs through Lines 14 and 15. Line 20 is available on weekdays only. Line 14 and 20 are the nearest routes to the project. One bus stop is found in the vicinity of the project and located approximately 1.5 miles in driving/biking distance to the northeast at the intersection of Two Bunch Palms Trail and Palm Drive.

SunLine Transit Agency buses are wheelchair accessible and include bicycle racks accommodating two or three bicycles. The potential use of local bus services by future project employees is not expected to conflict with or substantially increase the demand for this transit service. Project implementation is not anticipated to interfere with the existing service or performance at bus stop facilities. Less than significant impacts are anticipated.

If future demand warrants, expansion of available services may be appropriate. Transit services are monitored by both the City and SunLine. Additional services are periodically considered in response to anticipated increase in use.

The project would improve pedestrian mobility by incorporating pedestrian sidewalks along the frontage of Cabot Road (outside of the proposed property fencing), where currently none exist. The widening and improvements of the roadways do not include bicycle lanes however improvements resulting from the project are expected to enhance, rather than obstruct or conflict with, the City's established goals on bicycle transportation or with any existing facilities. Less than significant impacts are expected.

TUMF

The Transportation Uniform Mitigation Fee (TUMF) Ordinance became effective July 1, 1989. The TUMF program is a component of the twenty-year Measure A sales tax program managed by the Coachella Valley Association of Governments (CVAG) and approved by voters in November 1988. In 2002, a thirty-year extension was approved by Riverside County voters and resulted in an expiration date of 2039.

Under the TUMF, developers of residential, industrial and commercial property pay a development fee to fund transportation Projects that will be required as a result of the growth the Projects create. TUMF will be required as a Condition of Approval.

CMP

The Congestion Management Program (CMP), prepared by the Riverside County Transportation Commission (RCTC), is intended to link land use, transportation and air quality with reasonable growth management methods, strategies and programs that effectively utilize new transportation funds to alleviate traffic congestion and related impacts. As the designated Congestion Management Agency

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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(CMA), the RCTC prepares the CMP that designates a system of highways and roadways to include all State Highway facilities within Riverside County and a system of “principal arterials” to be included as the Congestion Management System (CMS). Program updates include consultation with local agencies, the County of Riverside, transit agencies and sub-regional agencies like the Coachella Valley Association of Governments (CVAG).

It is the responsibility of local agencies, when reviewing and approving development proposals to consider the traffic impacts to the CMS. All development proposals and circulation projects to be included within the City of Desert Hot Springs are required to comply with the current policies and procedures set forth by the RCTC’s CMP. The CMA provides a uniform database of traffic impacts for use in a countywide transportation computer model. The RCTC has recognized use of the Coachella Valley Area Transportation System (CVATS) sub-regional transportation model and the Riverside Transportation Analysis Model (RIVTAM) to analyze traffic impacts associated with development proposals or land use plans. The methodology for measuring LOS must be that contained in the most recent version of the Highway Capacity Manual. Traffic standards must be set no lower than LOS E for any segment or intersection on the CMP system unless the current LOS is lower (i.e., LOS F).

The project is located approximately 3.5 miles northeast of the Indian Canyon westbound on-ramp to the Interstate 10 Freeway (I-10). Interstate 10 is identified as a CMP corridor. According to the RCTC Long Range Transportation Study, the I-10 at this location has an LOS of D or better. Traffic (42 ADT) resulting from the small-scale operations at the proposed cultivation facility, in compliance with the General Plan, is not anticipated to individually or cumulatively contribute to an exceedance of a level of service standard established in the CMP. Impacts are expected to be less than significant.

Following implementation of Standard Conditions and Development Impact Fees (DIF,) the project is not anticipated to conflict with an applicable plan, ordinance or Policy establishing measures of effectiveness for the performance of the circulation system. Less than significant impacts are expected.

Mitigation Measures: None

- b) Would the project conflict or be inconsistent inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Discussion:

Vehicle Miles Travelled (VMT)

Vehicle Miles Travelled is a measure of the amount of travel for all vehicles in a geographic region over a given period of time, typically a one-year period. The analysis of Vehicle Miles Traveled (VMT) (SB743) attributable to a project in CEQA went into full effect statewide on July 1, 2020. According to the Governor’s office of Planning and Research (OPR) proposed CEQA Guideline Implementing SB 743, projects that decrease vehicle miles traveled in a project area compared to existing conditions should be considered to have a less than significant transportation impact.

According to the National Center for Sustainable Transportation, a number of cities, regions and states across the United States have begun to deemphasize vehicle delay metrics such as LOS. In their place,

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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policymakers are considering alternative transportation impact metrics that more closely approximate the true environmental impacts of driving. VMT is one metric that is increasingly being utilized.

Goals for reducing Greenhouse Gasses (GHG) have been the primary motivation for the shift to VMT measures. Reductions in VMT produce many other potential benefits such as reductions in other air pollutant emissions, water pollution, wildlife mortality and traffic congestion, as well as improvements in safety and health and savings in public and private costs.

Coordinating land use and transportation planning is the basis for creating connected, accessible, and complete mobility networks. Due in part to the connection between transportation funding and greenhouse gas reduction established in SB 375, vehicle miles traveled (VMT) is an increasingly important metric of impact in the circulation element. Because the circulation element is required to correlate with the land use element, it must account for the features of the City as much as possible.

According to the California Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact.

As discussed previously, the project is anticipated to generate approximately 42 ADT, which is below the 110 trips per day threshold identified by OPR. Additionally, per section a) of this Transportation discussion, the project can be considered consistent with the City’s General Plan. A less than significant transportation impact is anticipated relative to CEQA Guidelines Section 15064.3, subdivision (b).

Following implementation of the project design features, TUMF, DIF and standard conditions, the project is expected to result in less than significant impacts.

Mitigation Measures: None

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion:

The proposed cannabis cultivation facility is a permissible facility within the existing Light Industrial district located on and around Little Morongo Road and Two Bunch Palms Trail. In its current condition, the undeveloped project property is bordered by the unpaved alignment of Cabot Road to the west.

To provide proper access to the facility, off-site design and the proposed off-site improvements include street paving on portions of Cabot Road along the project’s frontage. Circulation design will undergo City and Fire Department review before approval to ensure that the local development standards for roadways, in interior and exterior circulation designs, are met without resulting in traffic safety impacts including hazardous design features. The project will not include sharp curves or dangerous intersections. No incompatible uses will result from the project.

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A traffic control plan will be prepared prior to construction to reduce the potential for temporary hazards associated with construction activities. This requirement will work to coordinate traffic associated with the facility staff, construction traffic and existing users along Cabot Road. All project plans shall be reviewed and approved by the City Engineering Department. Impacts are expected to be less than significant.

Mitigation Measures: None

d) Result in inadequate emergency access?

Discussion:

The project will provide adequate access to emergency response vehicles, as required by the City of Desert Hot Springs and in accordance with the Fire Department review and requirements. Site plan review would include in-depth analysis of emergency access to the site to ensure proper access to facilities. As mentioned in Section 1.1, the Purpose and Authority section of Chapter 1, the proposed site plan provides two vehicular access points on Cabot Road. The design details of the vehicular driveways will be reviewed and approved by the Fire Department and the City.

The project is anticipated to provide proper premises identification with legible site name, address numbers, and clear signage indicating the site access points. Security gates, controlled access key boxes, operational fire hydrants and extinguishers are also required in accordance with Chapter 15.24 of the Desert Hot Springs Municipal Code. Off-site Project improvements will involve paving on Cabot Road within the required rights-of-way and according to the City’s designated street standards.

Following implementation of standard conditions, the project is anticipated to result in less than significant impact related to emergency access.

Mitigation Measures: None

XVIII. TRIBAL CULTURAL RESOURCES -- Would the Project:

Sources: Historical/Archaeological Resources Assessment, CRM Tech, 2020.

- a) Would the Project cause a substantial Adverse change in the significance of a Tribal cultural resource, defined in Public Resource Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local Register of historical resources as defined in Public Resource Code Section 5020.1(k), or:

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Less Than Significant Impact

No Impact

Discussion:

As previously discussed in the Cultural Resources Section, CRM Tech conducted a project and site-specific study on historical and archaeological resources. The assessment included a records search, Native American scoping, historical background research and an intensive-level field survey.

The field survey produced negative results from either the historic or pre-historic period. Within the one-mile scope of the records search, seven historical/archaeological sites and four isolates. All these known sites and isolates date back to the historic period and no prehistoric (i.e., Native American) cultural resources were previously recorded within the scope the records search. Per the cultural report, none of these previously recorded cultural resources was found in the immediate vicinity of the project area, and therefore, none of them requires further consideration during this study. Given the sites location and the Morongo Wash flood plan, the project area would not appear to be a suitable location for human settlement in the prehistoric or early historic period. Furthermore, the Native American Heritage Commission (NAHC) sacred lands record search did not indicate the presence of sacred lands within the project area and no notable cultural features were known to be present in the project area.

Therefore, following implementation of the recommended mitigation measure outlined in the Cultural Resources Section of this Initial Study, less than significant impacts are expected following the recommended mitigation measure.

Mitigation Measures: CUL-1

- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Discussion:

Public Resource Code 21074 identifies “Tribal Cultural Resources” as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe” and that are either included or determined to be eligible for inclusion on the national, state, or local register of historic resources, or that are determined by the lead agency, in its discretion, to be significant when taking into consideration the significance of the resource to a California Native American Tribe.

As previously discussed in the Cultural Resources Section, CRM Tech conducted a project and site-specific study on historical and archaeological resources. The assessment included a records search, Native American scoping, historical background research and an intensive-level field survey. The field survey produced negative results from either the historic or pre-historic period.

To ensure that all significant Tribal Resources are identified and fully considered, AB 52 Consultation was conducted by the City of Desert Hot Springs from September 10, 2020 to November 19, 2020.

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On September 10, 2020 AB 52 notification letters were sent to 14 Native American tribal governments or designated tribal representatives via certified mail. Of the 14 tribes or tribal representatives (in some cases multiple letters were sent to representatives of the same tribe), seven tribes sent responses. Five of the seven tribes who responded stated that the no further consultation is required. One tribe, in a letter dated September 17, 2020, stated that the project area is not located within the boundaries of their reservation, but the site is located within the tribe's Traditional Use Area; therefore, a formal government to government consultation was requested. The tribe also requested any prepared technical reports and data regarding the project such as a cultural resources inventory, a copy of the records search with associated survey reports and site records, and requested the presence of an approved Cultural Resources Monitor during ground disturbing activities (including archaeological testing and surveys). Another tribe, in their letter dated October 22, 2020, also requested consultation with the City. During their meeting, it was recommended that the standard environmental/tribal mitigation conditions to be applied to this project. With this, the consultation process concluded. With the presence of a Cultural Resources Monitor during ground disturbing activities, the compliance with standard environmental/tribal mitigation conditions, and additional coordination with the tribes prior to and during project construction, the project will result in less than significant impacts to tribal cultural resources. These mitigation measures are indicated as **TCR-1** through **TCR-7** and discussed below.

Mitigation Measures:

TCR-1: The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the Agua Caliente Tribal Historic Preservation Office, and other consulting tribal preservation offices.

The following mitigation measures are included in the Standard Environmental / Tribal Mitigation Conditions, provided by the Soboba Band of Luiseno Indians.

TCR-2: The applicant/developer shall adhere to all mitigation measures and monitoring program requirements mandated by the City of Desert Hot Springs.

TCR-3: If the project involves any ground disturbance, the applicant/developer shall hire a paleontological monitor and shall be responsible for payment of all related expenses. If paleontological resource are encountered, adequate funding shall be provided to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved.

TCR-4: The applicant/developer shall provide tribe(s) which have initiated formal consultation under AB 52 the following:

- Cultural resources inventory of the project area (by a qualified archaeologist) prior to any development activities in the area.
- Copy of the records search with associated survey reports and site records from the information center.
- Copies of any cultural resource documentation (report and site records) generation in connection with this project.

TCR-5: Prior to grading and permit issuance, if there are any changes to project site design and/or

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proposed grades, the Applicant shall contact the consulting tribes to provide and electronic copy of the revised plans for reviewed. Additional consultation shall occur between the City of Desert Hot Springs, Applicant, and consulting tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the project. The applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City of Desert Hot Springs. In specific circumstances where existing and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resources to a nearby open space or designated location on the property that is not subject to any future development, erosion or flooding.

TCR-6: The Developer, the City and the consulting tribe(s) shall develop an archaeological monitoring plan to address details, timing and responsibilities of all archaeological activities that will occur at the project site, when it is determined by either the city or the consulting tribe(s) to be necessary. Details of the plan may include:

- a) Project grading and development scheduling;
- b) The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists;
- c) The protocols and stipulations that the Developer, City of Desert Hot Springs, the consulting tribes and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;
- d) Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts.

TCR-7: Treatment and Disposition of Cultural Resources: In the event that Native American cultural resources, items of cultural patrimony, or Tribal Cultural Resources are inadvertently discovered during the course of grading for this project.

- a) Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
- b) Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Desert Hot Springs with evidence of same:
 - i. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation:
- iii. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Agua Caliente Cultural Museum.

At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City of Desert Hot Springs documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the consulting tribes and Eastern Information Center and interested tribes.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:

Sources: Desert Hot Springs General Plan, 2020; *Urban Water Management Plan*, Mission Springs Water District, 2015; *Sewer Master Plan*, Mission Springs Water District, 2007.

- a) Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would significant environmental effects?

Discussion:

Domestic water for the proposed development would be provided to the project by connecting into the existing water and sewer main located along Two Bunch Palms. The project would then connect to water and sewer through a series of water service lines and sewer laterals. Electric power, telecommunication and natural gas connections are also located within proximity of the project’s boundary. The project is designed with an on-site stormwater retention system that during the life of the project will comply with the City’s drainage requirements by preventing site discharge and transport of untreated runoff. The proposed storm drain system includes facilities which have been preliminarily sized to provide enough storage for the 100-year controlling storm event. Therefore, no new construction or new water, wastewater, electric power, natural gas, or telecommunications facilities will need to be constructed or relocated. Less than significant impacts are expected.

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No Impact

Mitigation Measures: None

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal dry and multiple dry years?

Discussion:

MSWD provides water and sewer services to the communities of Desert Hot Springs, West Garnet, North Palm Springs, and various portions of unincorporated Riverside County. The District provides water service to approximately 37,600 people in their water service area. Groundwater is the primary source of domestic water supply in the Coachella Valley; the Mission Springs Water District (MSWD) provides potable water to the City by extracting groundwater from the Mission Creek Subbasin. The existing MSWD distribution system consists of three independent water distribution systems: 1) Desert Hot Springs and surrounding area system – encompasses the City of DHS, a portion of the City of Palm Springs and surrounding unincorporated area of Riverside County, 2) Palm Springs Crest System, and 3) West Palm Springs Village System.

The MSWD 2015 Urban Water Management Plan has been developed to assist the agency in reliably meeting current and future water demands. This document also serves to ensure that adequate water supplies are available to meet the existing and future urban water demands. As shown in Table 3-1 Population Current and Projected, from the MSWD 2015 UWMP, the 2020 population for the City of DHS is 34,287. The California Department of Finance population estimate for the City in 2019 is 29,251 persons. The Districts 2020 target water use stated in the UWMP is 234.9 gpcd. MSWD has had lower per-capita water use than its 2015 target since 2009. In 2015, the District’s per-capita water use was 172.1 gpcd, which is significantly lower than its 2015 target. It is anticipated that per-capita water usage will continue to decrease due to the implementation of plumbing code and updated landscape ordinance.

Table 3-1: Population - Current and Projected							
Service Area	2015	2020	2025	2030	2035	2040	Increase ^(a)
City of Desert Hot Springs	28,134	34,287	40,440	46,593	52,746	58,900	109.4%
Outside City of Desert Hot Springs	9,480	9,827	10,174	10,521	10,868	11,214	18.3%
Total	37,614	44,114	50,614	57,114	63,614	70,114	86.4%

(a) Increase relative to 2015

The project is a cannabis cultivation facility that will be developed in an existing light industrial area of the City. The project site is currently vacant and undeveloped land and therefore, is not currently using domestic water services. A water main is available from Two Bunch Palms to the project site. The

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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proposed development will be expected to follow water conservation guidelines to mitigate impacts to public water supplies. Examples of these water conservation methods include water conserving plumbing fixtures, drought tolerant landscaping, and drip irrigation systems as well as on-site stormwater infiltration. Additional domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process. Therefore, less than significant impacts relative to water supply are expected.

Mitigation Measures: None

- c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

Discussion:

The proposed cannabis cultivation facility would not result in a substantial increase to wastewater flows and the project will be required to connect to the public sewer system. Wastewater generated by the project will be conveyed to MSWD Horton Wastewater Reclamation Plant. MSWD currently has 9,100 sewer connections throughout its service area and provides sewer service to approximately 26,000 people. Per the 2015 MSWD Urban Water Management Plan (UWMMP), the Horton Wastewater Treatment Plant (Horton WWTP), located on Verbena Drive, has a capacity of 2.3 million gallons per day (mgd) (2,800 AFY). The average daily flow metered to the Horton Plan in 2015 was 1.69 MGD (1,893 AFY).

MSWD is pursuing the construction of the West Valley Wastewater Treatment Plan (WVWWTP). The WVWWTP is anticipated to be implemented over an extended period of 3-10 years with an ultimate buildout capacity of 20 MGD. The MSWD 2007 Sewer Master Plan estimates a 2020 sewer connection of 35,245 connections. However, per the 2019 WVWWTP DEIR, the District currently has 9,100 sewer connections, which is far below the estimated demand. The project would have a nominal increase to wastewater and sufficient capacity would be available to serve the project. Additionally, project plans will be reviewed by MSWD and City Staff to ensure wastewater capacity and compliance. Wastewater generated by the project site would be nominal since the facility will utilize efficient irrigation and fixtures. Sewer installation and connection fees in place at the time of development or connection would be collected by MSWD. Therefore, less than significant impacts relative to wastewater capacity are expected.

Mitigation Measures: None

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Discussion:

Solid waste disposal and recycling services for the City of Desert Hot Springs are provided by Desert

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Valley Disposal (DVD). Solid waste and recycling collected from the project will be hauled to the Edom Hill transfer station. Waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Disposal Site, El Sobrante Sanitary Landfill and Lamb Canyon Disposal Site. Cal-Recycle data indicates the Badlands Disposal site has 15,748,799 cubic yards of remaining capacity, the El Sobrante Landfill has a remaining capacity of 3,834,470 cubic yards of solid waste, and Lamb Canyon Disposal has a remaining solid waste capacity of 19,242,950 cubic yards. Solid waste generated by the project would consist of standard household/office waste. Unused plant material will be composted and reintroduced into soil composite and not disposed of in unsecured waste receptacles.

As part of its long-range planning and management activities, the Riverside County Department of Waste Resources (RCDWR) ensures that Riverside County has a minimum of 15 years of capacity, at any time, for future landfill disposal. The 15-year projection of disposal capacity is prepared each year by as part of the annual reporting requirements for the Countywide Integrated Waste Management Plan. The most recent 15-year projection by the RCDWR indicates that no additional capacity is needed to dispose of countywide waste through 2024, with a remaining disposal capacity of 28,561,626 tons in the year 2024.

In addition, development of the project would be required to comply with mandatory commercial and multifamily recycling requirements of Assembly Bill 341. Therefore, the project will comply with all applicable solid waste statutes, policies and guidelines; and the project will be served by a landfill with sufficient capacity to serve the project. Therefore, less than significant impacts relative to solid waste are anticipated.

Mitigation Measures: None

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion:

The project will comply with all applicable solid waste statutes and guidelines. All development is required to comply with the mandatory commercial and multi-family recycling requirements of Assembly Bill 341. The project will also comply with the recycling requirements if Cal Green and develop a waste management plan that will include diverting at least 50% of construction and demolition material fill from landfills. In addition, the project will not involve the use or storage of hazardous materials other than organic certified fertilizers and California approved pesticides and fungicides. These materials will be stored and applied according to manufacturer’s instructions to mitigate the potential for incidental release of hazardous materials or explosive reactions. No impacts are expected relative to applicable solid waste statutes and regulations.

Mitigation Measures: None

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Sources: *Fire Hazard Severity Zones in State Responsibility Areas, CAL FIRE.*

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| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The approximately 5.07-gross-acre project site is characterized by vacant land with scattered, low-lying vegetation in its current condition. Situated east of Cabot Road and approximately 330 feet north of 15th Avenue, the site is located within a primarily undeveloped context within the City of Desert Hot Springs's Light Industrial zoning designation. Light industrial facilities are located approximately 330 feet west of the project boundaries and 700 feet north of the project site. According to CAL Fire's Fire Hazard Severity Zones (FHSZ) in State Responsibility Areas (SRA) Map, the project is not located in an SRA or located in an area classified as very high fire hazard severity zone (VHFHSZ). Additionally, the project property is not located in or near lands classified as high or moderate fire hazard severity zones. The closest SRA or VHFHSZ classified area is located approximately 3 miles north of the project site, bordering the City's northern boundary. Due to the project's distance from SRAs and areas designated as VHFHSZs, no impacts are anticipated.

Mitigation Measures: None

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| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollute concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

See previous discussion. No impact.

Mitigation Measures: None

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

See previous discussion. No impact.

Mitigation Measures: None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

See previous discussion. No impact.

Mitigation Measures: None

XXI. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

As concluded in the Biological and Cultural Resources sections of this Initial Study, the project would result in no impacts or less than significant impacts with mitigation to these resources. The project is compatible with the City of Desert Hot Springs Zoning and its surroundings. The project will not significantly degrade the overall quality of the region’s environment, or substantially reduce the habitat if a wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California History or pre-history. Based upon the information and mitigation measures provided within this Initial Study and independent studies prepared for Biological and Cultural Resources, approval and implementation of the project is not expected to substantially alter or degrade the quality of the environment, including biological, cultural or historical resources. Following the mitigation measures outlined in the Biological and Cultural Resource section, less than significant impacts are expected.

Mitigation Measures: See Biological and Cultural Resource Sections

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The project is located in an area designed for light industrial uses. Cultivation and processing are conditionally permitted within the City’s Light Industrial zone with a Conditional Use Permit and Regulatory Permit. The facility would be compatible with the existing and future land uses within the Light Industrial zone. Future developments in the vicinity of the project is anticipated to occur, however, developments would be consistent with the surrounding land uses, which includes light industrial facilities, such as cultivation facilities. Future developments in the area would be required to obtain the appropriate approvals and permits prior to development. Based upon the information and mitigation measures provided within this Initial Study, approval and implementation of the proposed cultivation and processing facility is not expected to result in impacts that, when considered in relation to other past, current or probable future projects, would be cumulatively considerable. Less than significant impacts are expected.

Mitigation Measures: None

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

As discussed in the various sections throughout this Initial Study, the project would not include a land use that could result in substantial adverse effects on human beings. The City of Desert Hot Springs has established regulations pertaining to cannabis facilities to ensure these facilities do not conflict with the City’s General Plan, its surrounding uses, or become detrimental to the public health, safety and welfare. The City’s detailed review process of improvement plans and facility operations will ensure that the regulations are fully implemented. Based upon the findings provided in this document, and mitigation measures and standard conditions incorporated into the project, less than significant impacts are expected.

Mitigation Measures: None

Sources

Analysis of the Coachella Valley PM10 Redesignation Request and Maintenance Plan, by the California Air Resources Board, February 2010

California Emissions Estimator Model (CalEEMod), Version 2016.3.2

City of Desert Hot Springs General Plan, adopted May 2020

City of Desert Hot Springs General Plan Draft EIR, 2020

City of Desert Hot Springs Municipal Code

Cultural Resources Records Search, Eastern Information Center, California Historical Resources Information System, 2020

Final 2003 Coachella Valley PM10 State Implementation Plan (CVSIP), by SCAQMD, August 2003

Final 2016 Air Quality Management Plan (AQMP), by SCAQMD, March 2017

Flood Insurance Rate Map # 06065C0905G, Federal Emergency Management Agency, Effective August 28, 2008

General and Focused Biological Resource Assessment, prepared by James W. Cornett, Ecological Consultants, February 2020

Master Drainage Plan for the Desert Hot Springs Area (DHS MDP), prepared in February of 1982 by the Riverside County Flood Control and Water Conservation District (RCFC)

Mission Springs Water District 2015 Urban Water Management Plan, June 2016

Mission Springs Water District Wastewater System Comprehensive Master Plan, April 2007

Mission Springs Water District Program DEIR for the West Valley Water Reclamation Program, April 2019

Riverside County General Plan, revised December 2015.

Water Quality Control Plan for the Colorado River Basin Region, January 2019