Draft Initial Study and Mitigated Negative Declaration

DHS Research and Development Park
CUP No. 21-16

Applicant:

DHS Development Group, LLC
72100 Magnesia Falls Dr., Suite 2
Rancho Mirage, California 92270

Lead Agency:

City of Desert Hot Springs
11999 Palm Drive
Desert Hot Springs, California 92240

Prepared by:
Terra Nova Planning & Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211

April 2022

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CHAPTER ONE – INTRODUCTION

1.1 Purpose and Authority

The main purpose of the Initial Study/Mitigated Negative Declaration (IS/MND) is to determine whether there are potentially significant impacts associated with development of the proposed Project in the City of Desert Hot Springs.

This IS/MND has been prepared for the development of the DHS Research and Development Park (proposed Project).

This document conforms to the requirements of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq. The City of Desert Hot Springs has prepared this Mitigated Negative Declaration (MND) as the lead agency for the proposed Project. This IS/MND is in conformance with California Environmental Quality Act (CEQA) Section 15070, Subsection (a).

1.2 Determination

This Initial Study determined that development of the proposed Project would not have significant impacts on the environment, with the implementation of mitigation measures.

1.3 Public Review Process

This IS/MND will be circulated for public review to responsible and trustee agencies and interested parties for a period of 20 days. Following the public review and comment process, the City plans to issue a Mitigated Negative Declaration and prepare and file a Notice of Determination.

CHAPTER TWO – PROJECT DESCRIPTION

2.1 Project Vicinity

Total Project Area: ±8.49 acres

Assessor's Parcel Number: 665-080-006 and -008

Project Location: The Project site consists of two vacant parcels on the east side of Little Morongo Road approximately ¾ mile north of Dillon Road in the City of Desert Hot Springs, California (Exhibits 1, 2, and 3). It is surrounded by the Mission Creek Channel to the north and east; vacant land and an industrial park to the south; and Little Morongo Road, a self-storage facility, industrial park, and vacant land to the west.

The applicant proposes to build a cannabis cultivation facility with five one-story buildings totaling 122,812 square feet and a surface parking lot on the subject site.

The Project site is located within Section 1, Township 3 South, Range 4 East, San Bernardino Base and Meridian.

Source: Google Maps, 2021

03.31.22

Exhibit

1

TERRA NOVA®
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DHS Research and Development Park
Regional Location Map
Desert Hot Springs, California

Source: ESRI, 2021

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DHS Research and Development Park
Vicinity Map
Desert Hot Springs, California

03.25.22
Exhibit
2

Source: Google Earth, 2022

03.25.22

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DHS Research and Development Park
Project Location Map
Desert Hot Springs, California

Exhibit

3

2.2 Project Description

The proposed Project is a 122,812-square-foot cannabis cultivation facility on ±8.49 acres. The Project site consists of two parcels (Assessor's Parcel No. 665-080-006 and -008) and currently is not assigned a formal address. The site is currently vacant, and its location is shown in Exhibits 2 and 3.

The Desert Hot Springs General Plan (2020) designates the subject property as Industrial (I) with an Industrial Cannabis Overlay, and the Zoning Map designates it Light Industrial (I-L). Per the Zoning Ordinance Section 17.180.050.C, the Project will need a Conditional Use Permit (CUP) and Regulatory Permit, and all uses will occur indoors. Given the nature of cannabis production, the proposed facility can be expected to be used primarily for cultivation use, possibly with associated manufacturing, testing, distribution, and retail uses. Based on the site plan, the proposed facility is assumed to be 90% cannabis uses and 10% administrative uses and, where necessary, additional assumptions are made to provide a conservative analysis of environmental impacts.

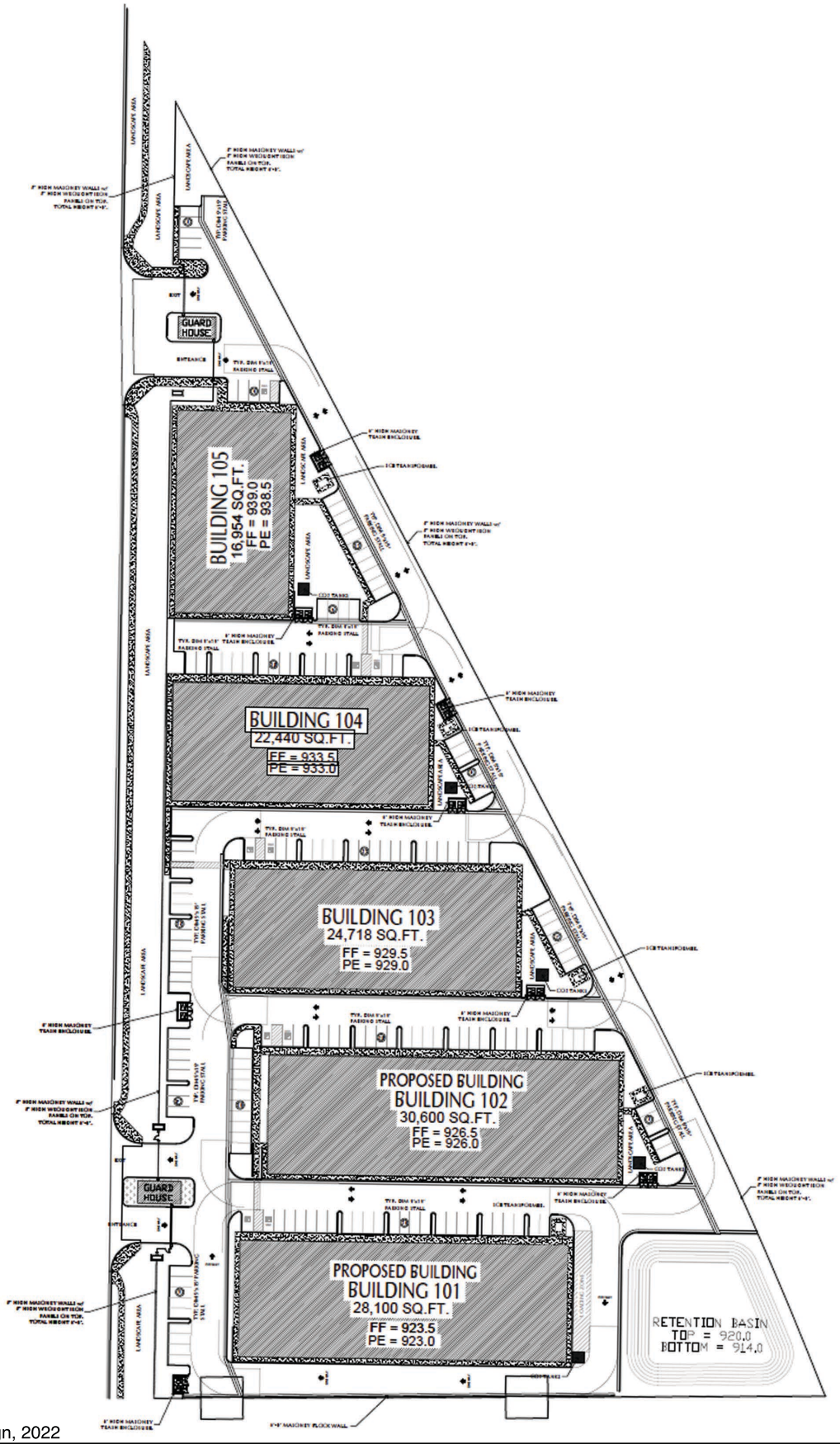
The proposed Project, shown on Exhibit 4, consists of five (5) buildings ranging between 16,954 and 30,600 square feet (totaling 122,812 square feet) for cannabis cultivation. Main building entrances are on the easterly side of the northernmost building, and on the northerly sides of the other buildings. The site plan also includes a paved parking lot, landscaping, trash enclosures, and perimeter walls and fencing. The site will be accessed via two (2) driveways on Little Morongo Road, and a guard house is planned at each driveway. A stormwater retention basin is planned at the southeasterly corner of the site.

The estimated depth of ground disturbance during construction is 5 feet. Construction is expected to begin in late 2022 and last approximately 2 years.

Utilities and Service Providers:

The following utilities will provide services to the Project:

1. Water: Mission Springs Water District (MSWD)
3. Electricity: Southern California Edison (SCE)
4. Gas: Southern California Gas Company
5. Telephone: Frontier
6. Cable: Spectrum



Source: Memo Design, 2022

03.25.22

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DHS Research and Development Park
Project Site Plan
Desert Hot Springs, California

Exhibit

4

2.3 Mitigation Monitoring Program

Mitigation measures are included where applicable within each section of the Initial Study checklist and summarized below in Table 1, Mitigation Monitoring Program. The table outlines the potential impacts and mitigation measures of the proposed Project and assigns responsibility for the oversight of each mitigation measure. The table shall be included in all bid documents as a part of the Project development.

Table 1
Mitigation Monitoring Program

Section Number	Mitigation Measures		Responsible for Monitoring	Timing	Impact after Mitigation
I. Aesthetics	AES-1	CVMSHCP Land Use Adjacency Guidelines: Lighting Project lighting shall comply with CVMSHCP Section 4.5.3 which requires that "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."	Planning Department	Prior to the issuance of building permits	Less than significant
IV. Biological Resources	BIO-1	Pre-Construction Nesting Bird Clearance Surveys For any grading or other sit disturbance or tree or vegetation removal occurring during the nesting season between January 15 and August 31, a qualified biologist shall conduct at least one nesting bird survey, and more if deemed necessary by the consulting biologist, immediately prior to initiation of Project-related ground disturbing activities. If nesting birds are present, no work shall be permitted near the nest until the young birds have fledged. While there is no established protocol for nest avoidance, when consulted, the CDFW generally recommends avoidance of buffers of about 250 to 500 feet for federally and state listed threatened and endangered avian species and birds-of-prey, and 100 to 250 feet for songbirds. If ground disturbance occurs outside the nesting season, this requirement shall be waived.	Project Proponent, Project Biologist, Planning Department, Building Department	Prior to the issuance of any permits to allow ground disturbance	Less than significant

Table 1
Mitigation Monitoring Program

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
IV. Biological Resources	BIO-2 <u>Construction Measures and Best Management Practices</u> Standard construction measures and best management practices shall include: • Worker Environmental Awareness Program (WEAP) training to educate workers about the sensitive biological resources with potential to occur in the project area and how to avoid impacting these species. • Ensuring that Project personnel check under their vehicles prior to moving them for wildlife species that may have crawled under the vehicles while parked. • Except on maintained public roads designated for higher speeds, driving speeds will not exceed 20 miles per hour. • To prevent inadvertent entrapment of animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. • No firearms or pets should be brought to the work area. • Workers must dispose of their trash in trash bags or an approved container and removed from the site. Trash is not to be deposited in the work area or surrounding habitat.	Project Proponent, Planning Department	Prior to the issuance of any permit to allow ground disturbance	Less than significant

Table 1
Mitigation Monitoring Program

Section Number	Mitigation Measures		Responsible for Monitoring	Timing	Impact after Mitigation
IV. Biological Resources	BIO-3	CVMSHCP Land Use Adjacency Guidelines: Invasives Project landscaping shall be subject to CVMSHCP Section 4.5.5 (Invasives), as follows: 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 [CVMSHCP] Table 4-112. The plants listed in [CVMSHCP] Table 4-113 shall not be used within or adjacent to a Conservation Area.	Project Landscape Architect, Project Proponent, Contractor, Planning Department	Prior to the issuance of building permits, ongoing during the life of the Project	Less that significant
V. Cultural Resources	CUL-1	Archaeological and Tribal Monitors Earth-moving activities, including grading, grubbing, trenching, or excavations, at the site shall be monitored by a qualified archaeologist and a Native American monitor at the expense of the applicant. If during excavation, grading or construction, artifacts or other archaeological resources are discovered, the archaeologist and monitor shall recover artifacts quickly to avoid construction delays but shall have the power to temporarily halt or divert construction equipment to allow for controlled archaeological recovery if a substantial cultural deposit is encountered. The archaeologist and monitor shall determine when excavations have reached sufficient depth to preclude the occurrence of cultural resources, and when monitoring should conclude. Work shall resume after consultation with the City of Desert Hot Springs and implementation of the recommendations of the archaeologist and/or tribal monitor. If artifacts are discovered, they shall be processed, catalogued, analyzed, and prepared for permanent curation in a repository	Project Proponent, Planning Department, Public Works Department, Project Archaeologist, Tribal Monitor	Prior to the issuance of any earth moving permit	Less than significant

Table 1
Mitigation Monitoring Program

Section Number		Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
		with permanent retrievable storage that would allow for additional research in the future.			
V. Cultural Resources	CUL-2	Provide Documentation to ACBCI All cultural resources documentation generated for the Project shall be provided to the appropriate tribal representatives of the Agua Caliente Band of Cahuilla Indians (ACBCI).	Project Proponent, Planning Department, Public Works Department	Within 30 days of the conclusion of monitoring activities	Less than significant
VII. Geology and Soils	GEO-1	Geotechnical Report Recommendations Project design and construction should incorporate all recommendations set forth in the Project geotechnical report (Petra Geosciences, September 13, 2016), including but not limited to specifications and guidelines pertaining to earthwork, grading, post-grading, foundation design, footings and slabs on-grade design and construction, corrosivity, masonry and retaining walls, exterior concrete flatwork, and pavement design.	Project Engineer, Project Geotechnical Consultant, Project Proponent	Prior to the issuance of grading permits	Less than significant
VII. Geology and Soils	GEO-2	CVMSHCP Land Use Adjacency Guidelines: Grading/Land Development Project grading and land development shall be subject to CVMSHCP Section 4.5.7 (Grading/Land Development), as follows: Manufactured slopes associated with site development shall not extend into adjacent land in a conservation area.	Planning and Building Departments	Prior to the issuance of grading and building permits	Less than significant
VII. Geology and Soils	GEO-3	Paleontological Resources In the event that paleontological resources or unique geological features are discovered during construction related activities, a qualified paleontological monitor shall observe all ground disturbing activities at all depths. The paleontological monitor will recover any significant fossil materials that would potentially be impacted by ground disturbing activities. To avoid construction delays, the paleontological monitor should be equipped to salvage fossils	Project Contractor, Project Paleontologist	All stages of development	Less than significant

Table 1
Mitigation Monitoring Program

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	immediately as they are unearthed and to remove samples of sediments that are likely to contain the remains of small fossil vertebrates, in accordance with standards for such recovery established by the Society of Vertebrate Paleontology (SVP). Recovered specimens should be prepared to a point of identification, including washing of sediments to recover smaller fossil remains. Specimens shall be identified and curated into a museum repository with retrievable storage.			
X. Hydrology	HYDRO-1 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 ecosystems processes within the adjacent conservation area, consistent with CVMSHCP Adjacency Guidelines. The final drainage plan and WQMP shall include BMPs to assure that polluted surface water does not enter the adjacent wash.	Project Engineer, City Engineer	Prior to approval of final drainage plan and WQMP	Less than significant
XVII. Transporta-tion	TRANS-1 <u>Fair Share Cost of Traffic Signal Improvements</u> To mitigate the Project's contribution to cumulative traffic deficiencies, the Project shall pay its fair share costs of the following intersection improvements: 1. Intersection of Little Morongo Road/Dillon Road: Improvement: install traffic signal Project's fair share: 17.9% 2. Intersection of Indian Canyon Drive/19th Avenue: Improvement: install traffic signal Project's fair share: 4.3%	City Engineer	Prior to the issuance of grading permits	Less than significant

CHAPTER THREE – ENVIRONMENTAL CHECKLIST

1. **Project Name:**
   DHS Research and Development Park

2. **Lead Agency Name and Address:**
   City of Desert Hot Springs
   11999 Palm Drive
   Desert Hot Springs, California 92240

3. **Contact Person and Phone Number:**
   Patricia Villagomez
   760-329-6411

4. **Project Location:**
   East side of Little Morongo Road, north of Dillon Road, west of the Mission Creek Channel
   Assessor's Parcel No. 665-080-006 and -008
   Desert Hot Springs, CA 92240

5. **Project Applicants' Name and Address:**
   Michael Meade
   DHS Development Group LLC
   72100 Magnesia Falls Drive, Suite 2
   Rancho Mirage, CA 92270

6. **General Plan Designation:** Industrial (I) and Industrial Cannabis Overlay

7. **Zoning Designation:** Light Industrial (I-L)

8. **Description of Project:**
   The proposed Project is a new cannabis cultivation facility. The Project site consists of ±8.49 acres of vacant land (Exhibits 2, 3, and 4). The Project consists of the construction of five new one-story buildings (totaling 122,812 square feet) for cannabis cultivation, a paved parking lot, two guard houses, landscaping, trash enclosures, and a stormwater retention basin.

9. **Surrounding Land Uses and Setting**:
   The Project area is sparsely developed. Surrounding lands are designated for Industrial land uses, except the Mission Creek Channel which is designated as Open Space (OS). Surrounding land uses include the Mission Creek Channel to the north and east; vacant land and a light industrial park to the south; and Little Morongo Road, a self-storage facility, light industrial facility, and vacant land to the west.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**
    Regional Water Quality Control Board
    Mission Springs Water District

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" or "Less Than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

■ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
■ Biological Resources	■ Cultural Resources	☐ Energy
■ Geology / Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	■ Transportation	☐ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	■ Mandatory Findings of Significance

DETERMINATION

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 adequately analyzed 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.

Patricia M. Villagomez
_____

April 28, 2022
Date

I. AESTHETICS Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	■	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■
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 scenic quality?	☐	☐	■	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	■	☐	☐

Sources: City of Desert Hot Springs General Plan, May 2020; "California State Scenic Highway Map," Caltrans, accessed February 2022; Desert Hot Springs Municipal Code.

Setting

The subject property is in the northwestern part of the Coachella Valley, a low-lying and relatively flat desert valley bounded by the San Bernardino and Little San Bernardino Mountains on the north and northeast, San Gorgonio Mountains on the west and northwest, San Jacinto Mountains on the southwest, and the Santa Rosa Mountains on the south. The mountains rise significantly over the valley floor. In the southeast portion of the valley is the Salton Sea at an elevation of approximately 200 feet below sea level. These landscape features and desert open spaces contribute to the visual character of the region.

The Project site generally has unobstructed, distant views of the mountains. The immediate Project area is sparsely developed with scattered light industrial warehouses and storage yards, vacant land designated for future light industrial uses, and the Mission Creek Channel which is unimproved open space. Middle and foreground views from the Project site include vacant land, wind energy turbines, and widely spaced industrial development.

Discussion of Impacts

a) Less Than Significant Impact. The San Bernardino and Little San Bernardino Mountains are approximately 3 miles north, 5 miles west, and 5 miles east of the Project site, and the San Jacinto Mountains are approximately 5 miles to the southwest. Mountain views are considered a scenic vista for much of the Coachella Valley and City of Desert Hot Springs. However, due to distance from the subject property, the visual impact of mountain vistas as seen from the Project site is diminished. Land to the south and west includes light industrial warehouse and self-storage development. Other lands are generally undeveloped with natural desert landscape.

The proposed buildings are 31 feet at their highest points (Exhibits 5 and 6). The City's Municipal Code Section 17.16.030 sets forth development standards for industrial zones. The proposed buildings will not exceed the maximum building height (2 stories/50 feet) or other standards and, therefore, no Project-related impact to development standards will occur.

The height, scale, and massing of proposed buildings are consistent with existing industrial development in the Project vicinity. The Project includes five one-story buildings separated by parking and access driveways that minimize building mass and provide view corridors between the buildings. Given the wide range of open space and mountain views available to drivers on Little Morongo Road, the Project is of limited size and scale and will minimally obstruct views of the passersby. Proposed building materials and colors (neutral tones) are compatible with the desert environment and other development in the City (Exhibits 7 and 8). Landscape materials include native, drought-tolerant desert species that will enhance the site's appearance, particularly the Little Morongo Road frontage. A 6-foot masonry/wrought iron wall will extend along the westerly, northerly, and easterly property boundaries and will shield some of the development from view. Outdoor trash bins will be enclosed by 6-foot masonry walls. The front doors of the northernmost building (Building 105) will face east, and the front doors of the other buildings (Buildings 101 through 104) will face north, all of which are directed away from Little Morongo Road.

Consistent with Municipal Code Section 17.180.050.B (Marijuana cultivation facilities), all marijuana cultivation will be conducted only in the interior of fully enclosed buildings, and none will be visible from any public right-of-way.

Overall, the Project will result in a modest impact on short-range views from surrounding properties and public streets. Impacts to scenic vistas of nearby mountains will be less than significant given that the Project's maximum height, setbacks, and lot coverage comply with Municipal Code development standards, and its building materials, colors, and landscaping are compatible with existing and future industrial development and the natural desert environment.

b) No Impact. The subject property is not located within a state scenic highway or locally designated scenic corridor. It does not contain and is not in proximity to scenic resources, such as trees, rock outcroppings, or historic resources, and will not damage any such resources. No impact will occur.

c) Less Than Significant Impact. The area surrounding the subject site includes vacant desert land, scattered industrial structures, and the Mission Creek Channel, an ephemeral dry wash that conveys runoff from the San Bernardino Mountains in the northwest to the Whitewater River to the southeast. Surrounding lands are planned for light industrial development, and land east of Little Morongo Road is assigned the Industrial Cannabis Overlay which allows cannabis cultivation, the same land use proposed by the Project. Therefore, the proposed Project is consistent with both existing and future industrial development in the area. It will not substantially degrade the existing or future visual character or public views of the site or surroundings (see I.a, above). It will not encroach upon or otherwise impact the visual character of the Mission Creek Channel, which is designated as Open Space. Impacts associated with visual character will be less than significant.

d) Less Than Significant with Mitigation. The site is currently undeveloped. There are no streetlights in the area, only stationary light sources from existing industrial buildings in the vicinity and mobile lights from vehicles on Little Morongo Road.

The proposed Project would create new long-term sources of light and glare from interior and exterior building lighting, safety and security lighting, landscape lighting, and vehicles accessing the site. Lighting and glare levels will be regulated by the City's lighting standards (Municipal Code Section 17.40.170), including shielding and filtration during Project design and operation, and are not expected to exceed typical levels emitted by nearby industrial facilities. The Project will shield light fixtures to minimize spillage onto adjacent properties. Light and glare from vehicles in the onsite parking lot and driveways will be shielded by 6-foot masonry/wrought iron perimeter walls. The nearest residential uses are ±½-mile east and, due to distance, Project-related impacts to residences will be less than significant. Adherence to Zoning Code design standards will assure that Project light and glare impacts will be less than significant.

CVMSHCP Land Use Adjacency Guidelines

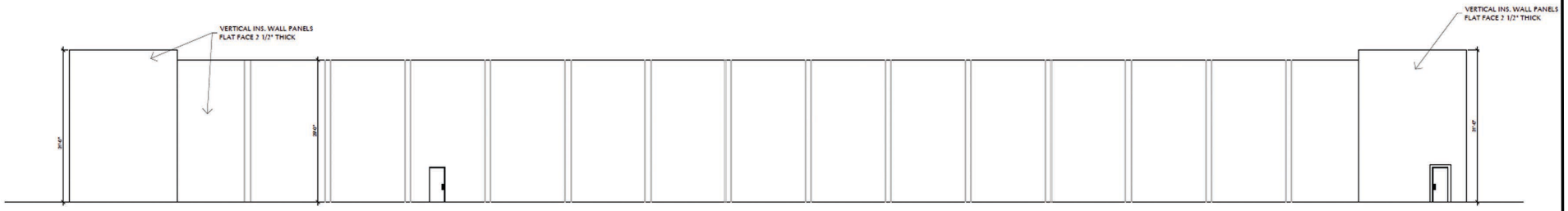
The northerly and easterly boundaries of the subject property are adjacent to the Upper Mission Creek/Big Morongo Canyon Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Where a development project is within or adjacent to a Conservation Area, it is subject to Land Use Adjacency Guidelines to minimize the edge effects of development on the Conservation Area. Per CVMSHCP Section 4.5.3 (Lighting), Project 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." Compliance with Mitigation Measure AES-1 will ensure that Project lighting impacts to the Conservation Area are less than significant.

Mitigation Measures:

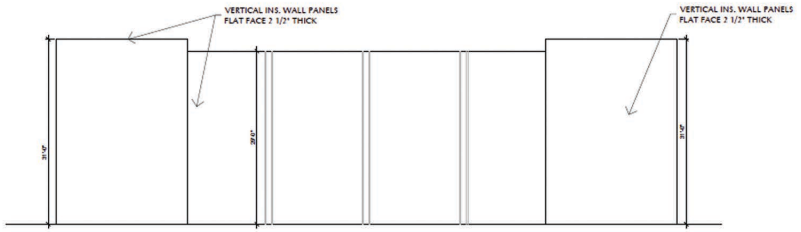
AES-1 CVMSHCP Land Use Adjacency Guidelines: Lighting
Project lighting shall comply with CVMSHCP Section 4.5.3 which requires that "lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent conservation area in accordance with the guidelines to be included in the Implementation Manual."

Monitoring:

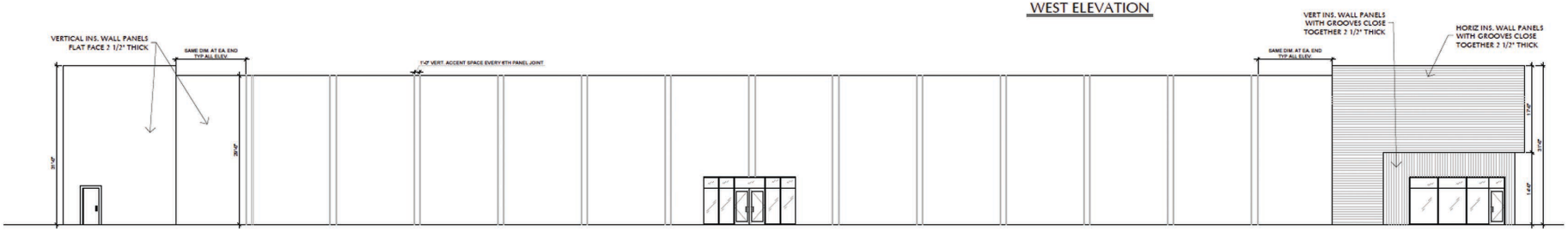
AES-A The Planning Department shall review lighting plans to ensure that they meet CVMSHCP requirements prior to the issuance of building permits for all buildings on the site.
Responsible Party: Planning Department
Timeline: prior to issuance of building permits



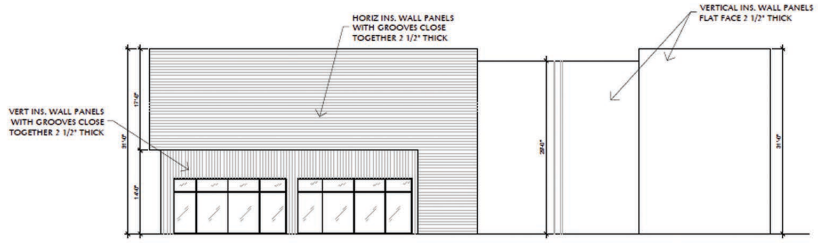
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

Source: Memo Design, 2022

03.25.22

Exhibit

5

TERRA NOVA®
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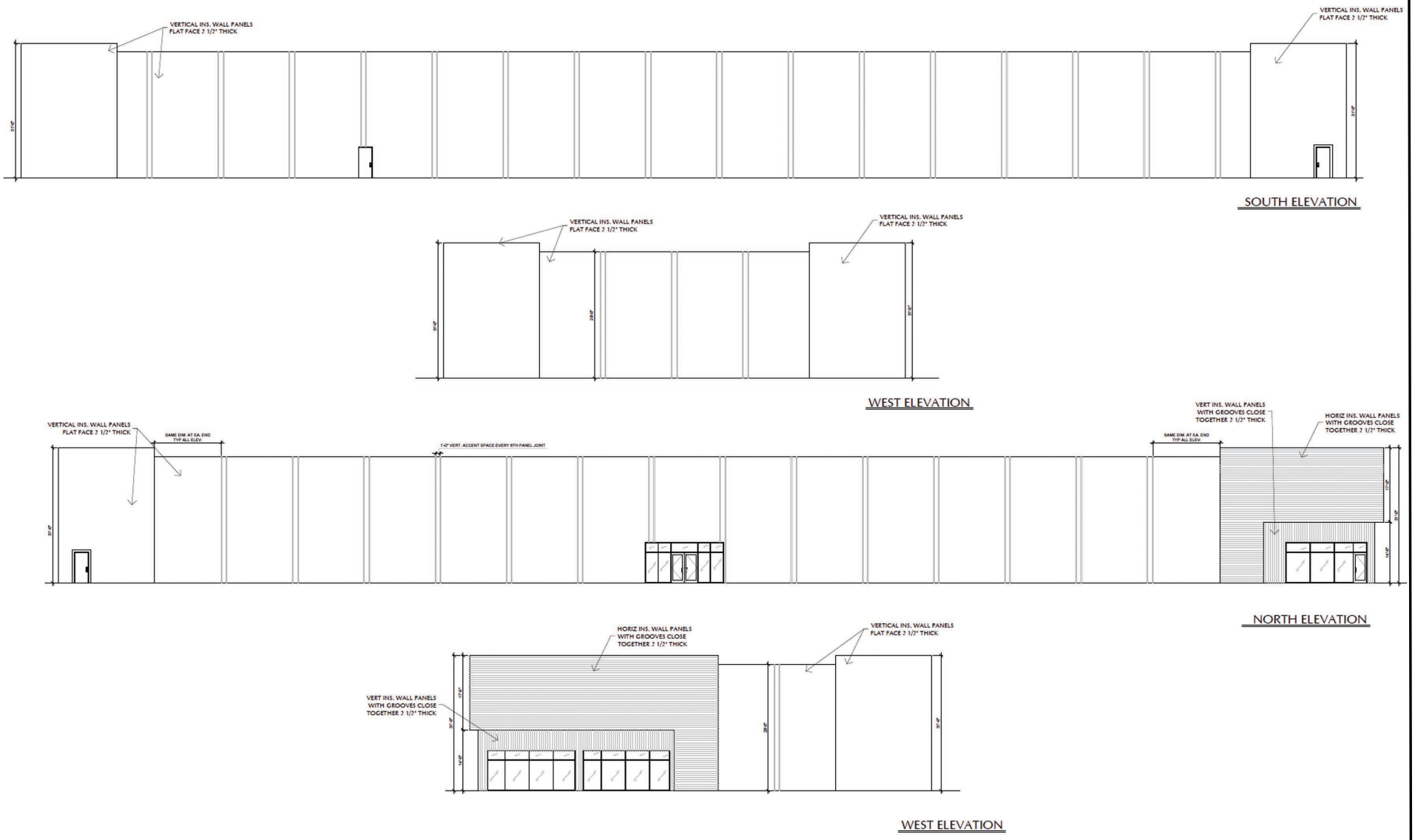
DHS Research and Development Park
Building 101 Elevations
Desert Hot Springs, California



Source: Memo Design, 2022

03.25.22

Exhibit

6

TERRA NOVA®
PLANNING & RESEARCH, INC.

DHS Research and Development Park
Building 102 Elevations
Desert Hot Springs, California

Source: Memo Design, 2022

03.31.22

TERRA NOVA®
PLANNING & RESEARCH, INC.

DHS Research and Development Park
Elevation Rendering - View 1
Desert Hot Springs, California

Exhibit
7

Source: Memo Design, 2022

03.31.22

TERRA NOVA®
PLANNING & RESEARCH, INC.

DHS Research and Development Park
Elevation Rendering - View 2
Desert Hot Springs, California

Exhibit
8

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to the information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource 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))?	☐	☐	☐	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e) Involve other changes in the exiting 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 use?	☐	☐	☐	■

Sources: City of Desert Hot Springs General Plan, May 2020; California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, 2018.

Setting

The Project site and surrounding lands are designated for Industrial development on the City's General Plan land use map. The site is undeveloped and there are no active agricultural or forest lands on or in the vicinity of the Project.

Discussion of Impacts

a-e) No Impact. According to the Riverside County Important Farmland Map (2018), the area is considered "Other Land" that is not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities. The site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance by the California Department of Conservation, nor does the City's General Plan designate agricultural lands in the area. In addition, the site is surrounded by lands which are not in agricultural uses. The proposed Project will not result in the conversion of farmland to non-agricultural uses.

In the City's General Plan, the subject property is not on or adjacent to properties with agricultural or forestry uses. Rather, it is designated for industrial and cannabis-related industrial development.

The City of Desert Hot Springs does not contain forest land, timberland, or timberland zoned for timberland production. Thus, the proposed Project will not result in the loss or conversion of forestland to non-forest use. No impact will occur.

Mitigation Measures:
None required.

Monitoring:
None required.

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:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	■
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?	☐	☐	■	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	■	☐

Sources: City of Desert Hot Springs General Plan, May 2020; "Final Localized Significance Threshold Methodology," prepared by the South Coast Air Quality Management District, Revised, July 2008; "2003 Coachella Valley PM_{10} State Implementation Plan," August 1, 2003; SCAQMD AQMP, 2016; CalEEMod Version 2020.4.0; Project materials.

Setting

The Coachella Valley, including the Project site, is in the Salton Sea Air Basin (SSAB) which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). All development within the SSAB is subject to SCAQMD's 2016 Air Quality Management Plan (2016 AQMP), and the Coachella Valley is also subject to the 2003 Coachella Valley PM_{10} State Implementation Plan (2003 CV PM_{10} SIP). The SCAQMD operates and maintains regional air quality monitoring stations at numerous locations throughout its jurisdiction. The Project site is located within Source Receptor Area (SRA) 30, which includes air quality monitoring stations in Palm Springs, Indio, and Mecca. In the City of Desert Hot Springs, Mission Springs Water District's Well 37 has a newly installed air quality monitoring station at the intersection of Two Bunch Palms Trail and Cabot Road.

Criteria air pollutants are contaminants for which state and federal air quality standards have been established. The Salton Sea Air Basin exceeds state and federal standards for fugitive dust (PM_{10}) and ozone (O_3) and is in attainment for $PM_{2.5,}$ except the City of Calexico. Ambient air quality in the SSAB, including the Project site, does not exceed state and federal standards for carbon monoxide, nitrogen dioxides, sulfur dioxide, lead, sulfates, hydrogen sulfide, or vinyl chloride.

Build out of the proposed Project will result in soil disturbances during construction and long-term impacts associated with operation of the Project, as discussed further below. The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to project air quality emissions that will be generated by the proposed Project (Appendix A).

Discussion of Impacts

a) No Impact. The subject site is located in the Salton Sea Air Basin (SSAB) and will be subject to SCAQMD's 2016 Air Quality Management Plan (2016 AQMP) and the 2003 Coachella Valley PM_{10} State Implementation Plan (2003 CV PM_{10} SIP). The 2016 AQMP contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG). SCAG is the regional planning agency for Riverside, Los Angeles, Orange, Ventura, San Bernardino, and Imperial Counties, and addresses regional issues related to transportation, the economy, community development, and the environment. Regarding future growth, SCAG has prepared the 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which provides population, housing, and employment projections for cities in its jurisdiction. The growth projections in the 2020–2045 RTP/SCS are based on growth projections in local general plans for jurisdictions in SCAG's planning area.

The proposed Project is consistent with the land use designation established for the Project site in the City's General Plan and will marginally increase the amount of industrial development in the City. Proposed cannabis cultivation and/or associated manufacturing uses are permitted in the Industrial Cannabis Overlay zone, so it is expected that the proposed Project will result in emissions consistent with those anticipated in the 2016 AQMP. Improvements in technology and reductions in emissions associated with improved building standards in the 2019 Building Code will further improve Project-related air quality by imposing stringent standards for the reduction of energy use. The proposed Project will be subject to rules and guidelines set forth in the AQMP. Therefore, it will be consistent with the intent of the AQMP and will not conflict with or obstruct implementation of the plan. No impact is anticipated.

b) Less Than Significant Impact. A project is considered to have a significant impact if there is a cumulatively considerable net increase of any criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. As previously stated, the SSAB is currently a non-attainment area for PM_{10} and ozone. Therefore, if the proposed Project's construction and/or operational emissions exceed SCAQMD thresholds for PM_{10} and ozone precursors, which include carbon monoxide (CO), nitrous oxides (NO_x), and volatile/reactive organic compounds (VOC or ROG), then impacts would be cumulatively considerable and significant.

The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to project air quality emissions that will be generated by the proposed Project (Appendix A). Criteria air pollutants will be released during both the construction and operational phases of the Project, as shown in Tables 2 and 3. Table 2 summarizes short-term construction-related emissions, and Table 3 summarizes ongoing operational emissions.

Construction Emissions

Project construction is expected to take up to two years and assumed to start in late 2022. The construction period includes all aspects of Project development, including site preparation, grading, paving, building construction, and application of architectural coatings.

As shown in Table 2, emissions generated by construction activities will not exceed SCAQMD thresholds of significance for criteria air pollutants. The data reflect average daily emissions over the 2-year construction period, including both summer and winter weather conditions. The CalEEMod analysis assumes a net material import of 6,469 cubic yards, as per the preliminary grading plan. It is important to note that Table 2 depicts projected unmitigated emissions, except for PM_{10} and $PM_{2.5}$ which reflect emissions after adherence to standard required dust control mitigation measures (watering the site 3 times per day). Implementation of standard best management practices (BMPs) or minimization measures during construction will further reduce emission levels. Applicable standard requirements and BMPs include, but are not limited to, the implementation of a dust control and management plan in conformance with SCQAMD Rule 403 and Desert Hot Springs Municipal Code Chapter 15.84 (Control of Fugitive Dust PM_{10} Emissions),

proper maintenance and limited idling of heavy equipment, phased application of architectural coatings, and the use of low-polluting architectural paint and coatings per SCAQMD Rule 1113. Given that criteria pollutant thresholds will not be exceeded, and standard SCAQMD rules, regulations, and BMPs will be applied during construction, impacts will be less than significant.

Table 2
Projected Maximum Daily Construction Emissions (pounds/day)

	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
Daily Maximum Emissions[1]	35.59	33.13	22.57	0.06	10.02	6.00
SCAQMD Thresholds	550.00	100.00	75.00	150.00	150.00	55.00
Exceeds?	**No**	**No**	**No**	**No**	**No**	**No**

[1] Average of summer and winter emissions, unmitigated, except for PM_{10} and $PM_{2.5}$ which show emissions after adherence to required dust control measures.
Source: CalEEMod version 2020.4.0 (output tables provided in Appendix A).

Operational Emissions

Operational emissions are ongoing emissions that will occur over the life of the Project. They include area source emissions, emissions from energy usage (electricity), and mobile source (vehicle) emissions. Based on the Project's traffic impact analysis (see Section XVII), the Project will generate 6.08 daily vehicle trips per thousand square feet. Table 3 summarizes daily projected emissions during Project operation. As shown, operational emissions will not exceed SCAQMD thresholds of significance for any criteria pollutants for operations. Therefore, impacts related to operational emissions will be less than significant.

Table 3
Projected Maximum Daily Operational Emissions (pounds/day)

	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
Daily Maximum Emissions[1]	20.27	2.95	5.42	0.04	4.49	1.22
SCAQMD Thresholds	550.00	100.00	75.00	150.00	150.00	55.00
Exceeds?	**No**	**No**	**No**	**No**	**No**	**No**

[1] Average of winter and summer emissions.
Source: CalEEMod version 2020.4.0 (output tables provided in Appendix A).

Cumulative Contribution: Non-Attainment Criteria Pollutants

A significant impact could occur if the Project would make a considerable cumulative contribution to federal or state non-attainment pollutants. The Coachella Valley portion of the SSAB is classified as a "non-attainment" area for PM_{10} and ozone. Cumulative air quality analysis is evaluated on a regional scale (rather than a neighborhood scale or city scale, for example) given the dispersing nature of pollutant emissions and aggregate impacts from surrounding jurisdictions and air management districts. Any development project or activity resulting in emissions of PM_{10}, ozone, or ozone precursors will contribute, to some degree, to regional non-attainment designations of ozone and PM_{10}.

The SCAQMD does not currently recommend quantified analyses of construction and/or operational emissions from multiple development projects, nor does it provide methodologies or thresholds of significance to assess the significance of cumulative emissions generated by multiple cumulative projects. It is recommended that a project's potential contribution to cumulative impacts should be assessed using the same significance criteria as those for project-specific impacts. Furthermore, SCAQMD states that if an individual development project generates less than significant construction or operational emissions, then the development project would not generate a cumulatively considerable increase in emissions for those pollutants for which the basin is in nonattainment.

As shown in Tables 2 and 3 above, Project-related PM_{10}, CO, NO_x, and ROG emissions are projected to be below established SCAQMD thresholds. Emissions will be further reduced through required best management practices, including implementation of a dust control plan in accordance with SCAQMD Rule 403.1. Therefore, the proposed Project will result in incremental, but not cumulatively considerable impacts on regional PM_{10} or ozone levels.

Summary

As shown above, both construction and operation of the proposed Project will result in criteria emissions that are below the SCAQMD significance thresholds, and neither would violate an air quality standard or contribute substantially to an existing or projected air quality violation. Impacts related to construction and operation will be less than significant and not cumulatively considerable from a non-attainment standpoint.

c) Less Than Significant Impact. Sensitive receptors include, but are not limited to, schools, churches, residences, hospitals, day care facilities, and elderly care facilities. The nearest sensitive receptors to the Project site are single-family dwelling units on Atlantic Avenue to the southeast, the nearest of which is 0.45 miles from the Project site.

SCAQMD suggests using the Localized Significance Thresholds (LST) methodology for projects that meet certain criteria to evaluate whether the project may generate significant adverse localized air quality impacts to the nearest exposed sensitive receptor. LST analysis by a local government is voluntary and designed for projects that are less than or equal to five acres and where sensitive receptors are within 500 meters (0.31 miles). The proposed Project site includes 8.49± acres. Although it is greater than five acres, it is anticipated that buildout would occur over the course of two years and the area of daily disturbance (for purposes of LST analysis only) is likely to be limited to five acres or less per day. The nearest sensitive receptor is 0.45 miles from the Project, comparable to (although slightly greater than) the 0.31 miles distance of LST methodology. Therefore, the Project's size and distance to sensitive receptors are similar to those recommended for LST analysis, and LST analysis (below) has been determined to be an appropriate method for providing a conservative analysis of Project impacts to sensitive receptors.

Based on SCAQMD's LST methodology, the City of Desert Hot Springs and the subject site are in Source Receptor Area 30 (Coachella Valley). Given the Project size and proximity to the nearest sensitive receptor, the five-acre Mass Rate Look-up Table at 500 meters was used. Table 4 shows projected Project emissions during the construction and operational phases and compares them to the LST thresholds established by SCAQMD.

Table 4
Localized Significance Thresholds
500 Meters, 5 Acres (lbs. per day)

	CO	**NO_x**	**PM_{10}**	**$PM_{2.5}$**
Construction Emissions	35.59	33.13	10.02	6.00
LST Threshold	31,115.00	875.00	248.00	128.00
Exceed?	No	No	No	No
Operational Emissions	20.27	2.95	4.49	1.22
LST Threshold	31,115.00	875.00	60.00	31.00
Exceed?	No	No	No	No
Source of Emission Data: CalEEMod model, version 2020.4.0 (output tables provided in Appendix A). Source of LST Threshold: LST Mass Rate Look-up Table, 500 meters, 5 acres, SCAQMD.				

Table 4 shows that the LST thresholds will not be exceeded under unmitigated conditions for all criteria pollutants. Therefore, impacts to nearby sensitive receptors during Project construction and operation will be less than significant.

Health Impacts
As shown in Tables 2 and 3, construction and operation of the proposed Project will result in criteria emissions that are below the SCAQMD significance thresholds, and neither would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

With current technology, it is not scientifically possible to calculate the degree to which exposure to various levels of criteria pollutant emissions will impact an individual's health. There are several factors that make predicting a Project-specific numerical impact difficult:

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

Due to the limitations described above, the extent to which the Project poses a health risk is uncertain but unavoidable. It is anticipated that impacts associated with all criteria pollutants will be less than significant overall, and that health effects will also be less than significant.

d) Less than Significant Impact. During construction, odors associated with paving and construction activities could be generated. However, any such odors would be short-term and quickly dispersed below detectable levels as distance from the construction site increases.

During operation of the Project, terpenes (the most common compounds produced by flowering cannabis plants) could generate strong odors. Municipal Code Section 5.50.080 provides general operating requirements for cannabis businesses in the City. Specifically, Section 5.50.080.P requires cannabis facilities to implement odor absorbing ventilation and exhaust systems so that odors are not detected outside the facility. Violations of this requirement by cannabis facilities in an Industrial District, such as the proposed Project, are excused as long as the odor is not detectable more than 150 feet beyond the cannabis facility's property line. Compliance with these requirements will ensure that the impacts of the proposed Project will be less than significant.

Mitigation Measures:
None required.

Monitoring:
None required.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	■	☐	☐
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 Game or US Fish and Wildlife Service?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	■	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
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?	☐	■	☐	☐

Sources: "Biological Resource Assessment, Desert Hot Springs Research and Development Project, Desert Hot Springs, Riverside County, California," Wood Environment & Infrastructure Solutions, Inc., March 2022; City of Desert Hot Springs General Plan, May 2020; "Coachella Valley Multiple Species Habitat Conservation Plan," 2007.

Setting

The subject site is currently vacant and consists of undeveloped natural open space. Onsite soils consist of Carsitas fine sand (0 to 5 percent slopes), and the vegetation community is Sonoran creosote bush scrub. The Mission Creek Channel, an ephemeral dry wash, occurs adjacent to the site on the north and east. Vacant land and sparse industrial development is to the south and west. The subject property is within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and immediately west of and adjacent to the CVMSHCP Upper Mission Creek/Big Morongo Canyon Conservation Area.

In March 2022, Wood Environment & Infrastructure, Inc. conducted a Biological Resources Assessment for the proposed Project[1] (Appendix B), including a literature review and field assessment. Its findings are summarized in the analysis below.

Discussion of Impacts

a) Less Than Significant Impact with Mitigation. The subject site is currently undeveloped and contains Sonoran creosote bush scrub. The biological resources assessment determined that 30 special status biological resources are known to occur within a 3-mile radius of the Project site.[2] Of these, 22 are considered to be absent from the Project site due to a lack of suitable habitat and/or the site is outside of the known elevational range requirements for the species. The Project is not expected to impact those species, and they are not analyzed further. The other 8 species could potentially occur onsite and are described below.

Potentially Occurring Species Covered by the CVMSHCP

Five (5) special status species have the potential to occur on the Project site and are fully covered under the CVMSHCP. They include: 1) Coachella Valley milk vetch (*Astragalus lentiginosus* var. *coachellae*), 2) Little San Bernardino Mountains linanthus (*Linanthus maculatus* ssp. *maculatus*), 3) burrowing owl (*Athene cunicularia*), 4) Palm Springs pocket mouse (*Perognathus longimembris bangsi*), and 5) Coachella round-tailed ground squirrel (*Xerospermophilus tereticaudus*). Because the Project is within the boundaries of the CVMSHCP and the City is a Permittee to the CVMSHCP, the Project will be required to pay the standard local development mitigation fee to mitigate impacts to covered species that may result from the Project. The Project is not within a CVMSHCP conservation area, and therefore, no additional protocol-level surveys are required. With payment of the mitigation fee, Project impacts to covered species would be less than significant. Additional mitigation is required for burrowing owl, as described below.

The burrowing owl is a Species of Special Concern (state designation) and Bird of Conservation Concern (federal designation) and is protected under the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) code. It is also a covered species under the CVMSHCP, but the federal permit for the CVMSHCP does not allow take under the MBTA. The species nests and roosts underground, including along canals and flood control channels, and is particularly sensitive to noise and ground disturbance such as grading and construction up to 500 feet away.

No burrowing owl burrows were observed on the Project site during the March 2022 biological resources survey. However, suitable habitat was observed on the Project site, and a known record of burrowing owl is located immediately adjacent to the site within Mission Creek. Although the potential for burrowing owl to occur onsite is low, the species may use the site for foraging, and the Project could directly and indirectly impact burrowing owls potentially occurring in nearby off-site locations. Since suitable burrows were not

1 "Biological Resource Assessment, Desert Hot Springs Research and Development Project, Desert Hot Springs, Riverside County, California," Wood Environment & Infrastructure Solutions, Inc., March 2022.

2 Ibid, Tables 1 through 3.

identified on the Project site, full focused presence/absence surveys are not required. To mitigate potential Project-related impacts and avoid take of the species outside of conservation areas, a pre-construction nesting bird clearance survey (Mitigation Measure BIO-1) is recommended within the Project footprint if construction activities occur between February 1 and August 31. The survey should occur prior to any ground disturbance or vegetation removal activities to assure that no burrowing owls will be impacted by construction. If active nests of any native avian species are found on the site, they will be avoided to the fullest extent possible until after the young have fledged. Additional construction measures and best management practices recommended by the biologist are described in Mitigation Measure BIO-2. With implementation of BIO-1 and BIO-2, Project impacts to burrowing owls will be less than significant.

Potentially Occurring Species Not Covered, or Not Fully Covered, by the CVMSHCP

Three (3) special status species have some potential to occur on the Project site and are not covered, or not fully covered, by the CVMSHCP. They include: 1) loggerhead shrike (*Lanius ludovicianus*), 2) San Diego pocket mouse (*Chaetodipus fallax pallidus*), and 3) San Diego woodrat (*Neotoma lepida intermedia*). Project impacts to San Diego pocket mouse and San Diego woodrat are not considered potentially significant because a lack of significant rodent burrows was observed onsite and, if any do occur, the loss of a few individuals would not reduce the population size to a less than self-sustaining level in the area.

The loggerhead shrike was observed in the vicinity of the Project site during the biological assessment. It is designated as a California Species of Special Concern (CSC), while nesting, by the CDFW, managed as a Bird of Conservation Concern (BCC) by the U.S. Fish and Wildlife Service (USFWS), and afforded protection by the MBTA and CDFW Code. Due to the presence of suitable habitat intermittently present along and immediately adjacent to the Project site, there is a high potential for it to nest on and/or adjacent to the site. Should any Project-related disturbance occur during nesting season (February 1 through August 31), a nesting bird clearance survey is recommended to ensure that the Project does not impact nesting loggerhead shrike (Mitigation Measure BIO-1). The survey should cover the Project footprint and occur before any ground disturbance or vegetation removal activities to assure that no loggerhead shrike or other species protected under the MBTA will be impacted by construction. If active nests of any native avian species are found on the site, they will be avoided to the fullest extent possible until after the young have fledged. Additional construction measures and best management practices recommended by the biologist are described in Mitigation Measure BIO-2. With implementation of BIO-1 and BIO-2, impacts to the loggerhead shrike and other avian species protected under the MBTA would be less than significant.

CVMSHCP Land Use Adjacency Guidelines

The northerly and easterly boundaries of the Project site are adjacent to the CVMSHCP Upper Mission Creek/Big Morongo Canyon Conservation Area. Per CVMSHCP Section 4.5, where a development project is adjacent to or within a Conservation Area, it is required to implement the Land Use Adjacency Guidelines described in Table 5. They are intended to minimize the indirect edge effects of urbanization on the Conservation Area.

The extent to which the Project will comply with the Land Use Adjacency Guidelines, and whether mitigation is needed, is explained in Table 5. As shown, Project impacts associated with drainage (Section 4.5.1), toxics (Section 4.5.2), noise (Section 4.5.4), and barriers (Section 4.5.6) will be less than significant. Impacts associated with lighting (Section 4.5.3), invasives (Section 4.5.5), and grading/development (Section 4.5.7) will be less than significant with mitigation.

Table 5
CVMSHCP Land Use Adjacency Guidelines

Requirement per CVMSHCP Section 4.5	Project Impact
Sect. 4.5.1, Drainage: Proposed development adjacent to or within a Conservation Area shall incorporate plans to ensure 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.	See response to question 10.a (Hydrology). Project impacts will be less than significant.
Sect. 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 potential toxic or may adversely affect wildlife and plant species, habitat, or water quality, shall incorporate measures to ensure the application of such chemicals does not result in any discharge to the adjacent Conservation Area.	See response to question 9.b (Hazards, Hazardous Materials). Project impacts will be less than significant.
Sect. 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 into 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.	See response to question 1.d (Aesthetics). With implementation of AES-1, Project impacts will be less than significant.
Sect. 4.5.4, Noise: Proposed development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA L_{eq} 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.	See response to question 13.a (Noise). Project impacts will be less than significant.
Sect. 4.5.5, Invasives: Invasive, non-native plant species shall not be incorporated into 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 [CVMSHCP] Table 4-112. The plants listed in [CVMSHCP] 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 concurrent.	See Mitigation Measure BIO-3 (Biological Resources). With implementation of BIO-3, Project impacts will be less than significant.
Sect. 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.	The Project proposes a 6-foot high wall along the entire length of the northerly/easterly Project boundary (3-foot high masonry wall with 3-foot high wrought iron panels on top). The wall will satisfy this requirement. Project impacts will be less than significant.
Sect. 4.5.7, Grading/Development: Manufactured slopes associated with site development shall not extend into adjacent land in a Conservation Area.	See response to question 7.c (Geology and Soils). With implementation of GEO-2, Project impacts will be less than significant.

b-c) No Impact. The Project site does not contain any streams, riparian habitat, marshes, protected wetlands, vernal pools, or sensitive natural communities protected by the CDFW or USFWS. The Project site is west of and immediately adjacent to the Mission Creek Channel, an ephemeral dry wash, but the channel does not extend into the Project site. No Project-related impacts will occur.

d) Less Than Significant Impact. According to the Project-specific Biological Resource Assessment, no wildlife corridors or biological linkages are mapped on or adjacent to the Project site. CVMSHCP mapping shows there are no biological linkages or corridors in the Upper Mission Creek/Big Morongo Canyon Conservation Area in the Project vicinity (CVMSHCP Figure 4-12d). Therefore, development of the site will not interfere substantially with the movement of any native resident or migratory species. The site is not known to be a native wildlife nursery site; however, the Project could result in potential impacts to nesting birds, as discussed in IV.a above. Impacts will be less than significant.

e) No Impact. The subject property does not contain any biological resources that are protected by a local policy or ordinance, such as a tree preservation ordinance. No impact will occur.

f) Less Than Significant Impact with Mitigation. As discussed in IV.a, above, the City is a Permittee to the CVMSHCP. The subject property is within the boundaries of the CVMSHCP and, therefore, the developer will be required to pay the standard Local Development Mitigation Fee to mitigate impacts to covered species. The subject property is also immediately adjacent to the Upper Mission Creek/Big Morongo Canyon Conservation Area to the immediate north and east. As such, the Project is subject to the CVMSHCP Land Use Adjacency Guidelines to minimize the edge effects of urbanization on the conservation area. With payment of the local development mitigation fee and compliance with the Land Use Adjacency Guidelines (Table 5), including Mitigation Measure BIO-3, Project-related impacts will be less than significant.

Mitigation Measures:

BIO-1 Pre-Construction Nesting Bird Clearance Surveys
For any grading or other sit disturbance or tree or vegetation removal occurring during the nesting season between January 15 and August 31, a qualified biologist shall conduct at least one nesting bird survey, and more if deemed necessary by the consulting biologist, immediately prior to initiation of Project-related ground disturbing activities. If nesting birds are present, no work shall be permitted near the nest until the young birds have fledged. While there is no established protocol for nest avoidance, when consulted, the CDFW generally recommends avoidance of buffers of about 250 to 500 feet for federally and state listed threatened and endangered avian species and birds-of-prey, and 100 to 250 feet for songbirds. If ground disturbance occurs outside the nesting season, this requirement shall be waived.

BIO-2 Construction Measures and Best Management Practices
Standard construction measures and best management practices shall include:

- Worker Environmental Awareness Program (WEAP) training to educate workers about the sensitive biological resources with potential to occur in the project area and how to avoid impacting these species.
- Ensuring that Project personnel check under their vehicles prior to moving them for wildlife species that may have crawled under the vehicles while parked.
- Except on maintained public roads designated for higher speeds, driving speeds will not exceed 20 miles per hour.
- To prevent inadvertent entrapment of animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials or provided with one or more escape

ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals.
- No firearms or pets should be brought to the work area.
- Workers must dispose of their trash in trash bags or an approved container and removed from the site. Trash is not to be deposited in the work area or surrounding habitat.

BIO-3 CVMSHCP Land Use Adjacency Guidelines: Invasives
Project landscaping shall be subject to CVMSHCP Section 4.5.5 (Invasives), as follows: 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 [CVMSHCP] Table 4-112. The plants listed in [CVMSHCP] Table 4-113 shall not be used within or adjacent to a Conservation Area.

Monitoring:

BIO-A Prior to the issuance of any permit to allow ground disturbance on the site, the Project proponent shall furnish the City with pre-construction nesting bird clearance surveys for MBTA covered birds.
Responsible Party: Project proponent, Project Biologist, Planning Department, Building Department
Timeline: prior to issuance of any permits to allow ground disturbance

BIO-B Prior to the issuance of any permit to allow ground disturbance on the site, the Project proponent shall submit a Worker Environmental Awareness Project (WEAP) training materials package to the City Planning Department that complies with Mitigation Measure BIO-2.
Responsible Party: Project Proponent, Planning Department
Timeline: prior to issuance of any permits to allow ground disturbance

BIO-C The City shall review all Project landscaping plans to assure that no landscape materials listed on the CVMSHCP Prohibited Plant List (CVMSHCP Table 4-113) are included in the Project, and that native plants are used in this area to the greatest extent possible.
Responsible Party: Project Landscape Architect, Project Proponent, Contractor, Planning Department
Timeline: prior to issuance of building permits, ongoing during the life of the Project

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	■
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	■	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	■

Sources: City of Desert Hot Springs General Plan, May 2020; "Update to Historical/Archaeological Resources Survey, Desert Hot Springs Research and Development Park Project, Assessor's Parcel Numbers 665-080-006 and -008, City of Desert Hot Springs, Riverside County, California," CRM TECH, April 11, 2022; "Historical/Archaeological Resources Survey Report, Tentative Parcel Map Numbers 32704 and 32706, City of Desert Hot Springs, Riverside County, California," CRM TECH, October 7, 2004.

Setting

The Coachella Valley is the traditional home of the Cahuilla, a Native American people that lived in three groups: the Pass Cahuilla of the Beaumont/Banning area; the Mountain Cahuilla of the San Jacinto and Santa Rosa Mountains; and the Desert Cahuilla of the Coachella Valley. The Cahuilla occupied the region for several centuries, leaving numerous cultural resources. The oldest cultural resources reported in the City of Desert Hot Springs are from the "Paleo-Indian Period" which dates back to at least 11,000 B.C. Substantial portions of the City have been surveyed by archaeologists.

Section 15064.5 of the CEQA Guidelines generally defines a historic resource as a resource that is: (1) listed in or determined to be eligible for listing in the California Register of Historical Resources (California Register); (2) included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code); or (3) identified as significant in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code).

Section 15064.5(a)(3)(D) of the CEQA Guidelines generally defines archaeological resources as any resource that "has yielded, or may be likely to yield, information important in prehistory or history." Archaeological resources are features such as tools, utensils, carvings, fabric, and building foundations that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community.

In April 2022, CRM TECH performed a cultural resources study on the Project site that consisted of a historical/archaeological resources records search, historical background research, Native American consultation, and an intensive-level field survey (Appendix C).[3] The Project site was also part of a Phase I

[3] "Update to Historical/Archaeological Resources Survey, Desert Hot Springs Research and Development Park Project, Assessor's Parcel Numbers 665-080-006 and -008, City of Desert Hot Springs, Riverside County, California," CRM TECH, April 11, 2022.

cultural resources survey completed in 2004 for a larger area that included land to the east.[4] The findings of the studies are included in the analysis below.

Discussion of Impacts

a) No Impact. The Project site is currently vacant and largely remains in its natural state. No buildings, structures, sites, features, or artifacts occur onsite, and no previous construction has occurred. The site-specific cultural resources study found no evidence of any settlement or development activities on the Project site during the historic period to the present time. The Project site does not contain any resources identified as historically significant on the National Register of Historic Places, California Register of Historical Resources, or a local register of historic resources. The nearest human-made historic feature in the immediate Project vicinity is Little Morongo Road, first depicted in historical maps in the early 1940s. Other historic features identified in previous cultural resources surveys conducted within a one-mile radius of the Project include Dillon Road (circa 1930s), the Hayfield-Chino 220 kV transmission line (circa 1945-46), and several recorded historic-period refuse scatters and isolates, but none of these features occur on or in immediate proximity to the site and none will be impacted by the Project. The Project will not cause a substantial adverse change in the significance of a historic resource. No impact will occur.

b) Less Than Significant Impact with Mitigation. Previous cultural resource studies conducted in the Project area recorded two prehistoric (Native American) resources consisting of a bedrock milling feature and a ceramic scatter approximately 3/4-mile from the Project site. However, the 2022 site-specific cultural resources study prepared by CRM TECH identified no archaeological resources on the Project site or in its immediate vicinity.

As part of the 2022 survey, CRM TECH contacted the Native American Heritage Commission (NAHC) to request a records search in the commission's Sacred Lands File. NAHC identified no Native American cultural resources within or near the Project site but recommended contacting local tribal representatives regarding such resources. CRM TECH requested information about tribal cultural resources from the Agua Caliente Band of Cahuilla Indians (ACBCI) and Morongo Band of Mission Indians. The ACBCI indicated that the Project site is within the tribe's Traditional Use Area and that a trail is near the Project area. It also requested to review all cultural resources documentation generated for the Project. No response was received from the Morongo Band. CRM TECH invited the ACBCI to participate in the onsite archaeological field survey; however, no tribal representative was able to attend. The City also conducted Tribal Consultation in conformance with Assembly Bill (AB) 52 and contacted these and other tribes in writing (see Section XVIII, Tribal Cultural Resources).

Based on the cultural resource study prepared for the Project, potential impacts to archaeological resources are expected to be less than significant. However, the potential exists for currently unknown resources buried onsite to be uncovered during grading and other earth-moving activities, such as trenching and excavation. To minimize impacts to cultural resources that may be encountered during the construction process, a qualified archaeologist and a Native American Tribal monitor shall be onsite during earth moving activities, and any findings shall be documented and curated, as appropriate (Mitigation Measure CUL-1). Additionally, as requested by ACBCI, all cultural resources documentation generated for the Project will be provided to ACBCI tribal representatives (Mitigation Measure CUL-2). With implementation of CUL-1 and CUL-2, potential impacts to any uncovered archaeological resources will remain less than significant.

c) No Impact. No cemeteries are known to occur onsite or in the Project area, and it is unlikely that human remains will be uncovered during Project development. However, should they be uncovered during grading of the site, Section 7050.5 of the California Health and Safety Code requires that all activity stop and the coroner be notified to determine the nature of the remains and whether Native American consultation is

[4] "Historical/Archaeological Resources Survey Report, Tentative Parcel Map Numbers 32704 and 32706, City of Desert Hot Springs, Riverside County, California," CRM TECH, October 7, 2004.

needed. If the coroner recognizes or has reason to believe the human remains to be those of a Native American, the Native American Heritage Commission will be contacted to determine the appropriate Tribal entity determined to be the likely descendants for contact. This requirement of law assures that there will be no impact to cemeteries or human remains.

Mitigation Measures:

CUL-1 Archaeological and Tribal Monitors

Earth-moving activities, including grading, grubbing, trenching, or excavations, at the site shall be monitored by a qualified archaeologist and a Native American Tribal monitor at the expense of the applicant. If during excavation, grading or construction, artifacts or other archaeological resources are discovered, the archaeologist and monitor shall recover artifacts quickly to avoid construction delays but shall have the power to temporarily halt or divert construction equipment to allow for controlled archaeological recovery if a substantial cultural deposit is encountered.

The archaeologist and monitor shall determine when excavations have reached sufficient depth to preclude the occurrence of cultural resources, and when monitoring should conclude. Work shall resume after consultation with the City of Desert Hot Springs and implementation of the recommendations of the archaeologist and/or tribal monitor.

If artifacts are discovered, they shall be processed, catalogued, analyzed, and prepared for permanent curation in a repository with permanent retrievable storage that would allow for additional research in the future.

CUL-2 Provide Documentation to ACBCI

All cultural resources documentation generated for the Project shall be provided to the appropriate tribal representatives of the Agua Caliente Band of Cahuilla Indians (ACBCI).

Monitoring:

CUL-A The applicant shall provide the City with fully executed agreements with a qualified archaeologist and a Tribal monitor prior to the issuance of any earth moving permit on the property.
Responsible Party: Project Proponent, Planning Department, Public Works Department, Project Archaeologist, Tribal Monitor
Timeline: prior to the issuance of any earth moving permit

CUL-B The Project archaeologist shall, within 30 days of the conclusion of monitoring activities, provide the City with a report of findings, to be kept on file by the City.
Responsible Party: Project Proponent, Planning Department, Public Works Department
Timeline: within 30 days of the conclusion of monitoring activities

VI. ENERGY Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	■	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	■

Sources: City of Desert Hot Springs General Plan, February 2020.

Setting

Natural gas and electricity to the Project site are provided by Southern California Gas Company (SoCalGas) and Southern California Edison (SCE), respectively. The Project site is currently undeveloped, and utilities will be extended to it as part of the Project's development.

Discussion of Impacts

a) Less Than Significant Impact. The proposed Project consists of the construction and operation of five new buildings used for cannabis cultivation. The proposed buildings would be built to current Building Code standards, including the installation of insulation and high efficiency HVAC systems.

Project construction would result in short-term consumption of energy resources for operation of construction equipment and manufacturing of construction materials; however, energy use would be limited due to the relatively small scale of the Project (±8.49 acres). Compliance with local, state, and federal regulations (e.g., limit engine idling times, require the recycling of construction debris, etc.) would reduce short-term energy consumption during construction to the extent feasible, and Project construction would not result in a wasteful or inefficient use of energy.

Long-term operation of the Project would not result in unusual site characteristics or processes that would require the use of equipment that would be more energy intensive than is used for comparable land uses, or the use of equipment that would not conform to current emissions standards and related fuel efficiencies.

The Project is estimated to generate 705 trips per day (see Section XVII, Transportation) of a standard vehicle mix, which will not result in unusually high fuel consumption. Through compliance with applicable requirements, including the California Code of Regulations Title 24, Part 6–Energy Efficiency Standards, as well as the City's Climate Action Plan (CAP) discussed below, individual Project elements (e.g., building design, HVAC equipment, etc.) would be consistent with state and local energy reduction policies and strategies and would not consume energy resources in a wasteful or inefficient manner.

b) No Impact. State and local agencies regulate the use and consumption of energy through various methods and programs (e.g., Assembly Bill 32, California Code of Regulations Title 24, Part 6–Energy Efficiency Standards, and the California Code of Regulations Title 24, Part 11– California Green Building Standards (CALGreen). Per the latest (2019) CALGreen requirements for non-residential construction, the Project buildings will be constructed to be ready for zero-net-energy (ZNE) by 2030.

At the local level, the City's Building Division and Code Compliance and Cannabis Compliance Departments enforce the applicable requirements of the Energy Efficiency Standards and Green Building Standards in Title 24. In addition, the City's General Plan adopted in 2020 identifies specific strategies and measures for energy conservation within the City. The Project would be required to comply with City policies and programs.

No impact related to compliance with applicable energy standards would result because the proposed Project would not conflict with or obstruct State or local plans for renewable energy or energy efficiency.

Mitigation Measures:
None required.

Monitoring:
None required.

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	■
ii) Strong seismic ground shaking?	☐	■	☐	☐
iii) Seismic related ground failure, including liquefaction?	☐	☐	■	☐
iv) Landslides?	☐	☐	☐	■
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
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?	☐	■	☐	☐
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 or property?	☐	☐	■	☐
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?	☐	☐	■	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	■	☐	☐

Sources: City of Desert Hot Springs General Plan, May 2020; Desert Hot Springs General Plan Update and Zoning Amendment Draft EIR, February 2020; 2018 Coachella Valley Integrated Regional Water Management & Stormwater Resource Plan, Coachella Valley Regional Water Management Group, December 2018, amended December 2020; USDA Natural Resources Conservation Service Web Soil Survey, accessed March 16, 2022; Geotechnical Investigation, Proposed Ten Building Commercial/Light Industrial Development Associated Infrastructure and Parking, 9.28-Acre Parcel South of Avenue 15 on Little Morongo Land, Parcel Number 37138, City of Desert Hot Springs, California, prepared by Petra Geosciences, September 13, 2016.

Setting

Geology and Soils

The Coachella Valley is bounded by the San Bernardino Mountains on the northwest, San Jacinto Mountains on the west, Santa Rosa Mountains on the south, and Little San Bernardino Mountains and Indio Hills on the north and northeast. The valley is partially covered by alluvial sands eroded from the local mountains and largely deposited in the northwestern end of the valley. Strong winds flowing through the San Gorgonio Pass sift out the finer materials and transport them southward, creating sand dunes and hummocks in the central valley.

Regional geology and seismicity in the Coachella Valley are primarily influenced by the tectonics of the San Andreas and San Jacinto fault systems. The San Andreas Fault extends roughly 750 miles through California and forms the tectonic boundary between the Pacific Plate and the North American Plates. The San Jacinto Fault Zone (SJFZ) runs through San Bernardino, Riverside, San Diego, and Imperial Counties in Southern California. The SJFZ is a component of the larger San Andreas transform system and is considered the most seismically active fault zone in the area.

The City of Desert Hot Springs is bisected by several splays of the San Andreas Fault. The General Plan identifies Alquist-Priolo Fault Zones along the sides of active and potentially active faults to establish areas of potential hazard due to fault rupture (General Plan Figure SN-3). The Municipal Code (Chapter 15.04 Building Code) requires new construction to meet, at a minimum, the current California Building Code (CBC).

Paleontological Resources

Paleontological resources (fossils) are the remains and/or traces of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and wood can be found in the geologic deposits (rock formations) in which they were originally buried. Surface and subsurface soils in Desert Hot Springs largely consist of stream-deposited (alluvium) and wind-deposited (aeolian) sands and silts that have low potential for paleontological resources.

Site-Specific Geotechnical Study

A site-specific geotechnical study was prepared in 2016 to evaluate geologic conditions on the Project site and potential impacts of the light industrial project proposed at the time (Appendix D).[5] The findings of the study are included in the analysis below.

Discussion of Impacts

a.i) No Impact. The Project site is not within an Alquist-Priolo Earthquake Fault Zone. The nearest Alquist-Priolo Earthquake Fault Zones are approximately 2.5 miles south and 3 miles north of the subject property. There is no other substantial evidence of a known earthquake fault underlying the site. Therefore, the Project will not cause substantial adverse effects associated with fault rupture.

a.ii) Less Than Significant with Mitigation. The subject property is in a region with numerous active earthquake faults. The nearest active faults to the subject property are the San Andrea Fault – Banning and Coachella strands approximately 2.5 miles south and 3 miles north, respectively. The Project would be exposed to strong ground shaking during a major quake on nearby faults that could expose people and structures to risks.

[5] Geotechnical Investigation, Proposed Ten Building Commercial/Light Industrial Development Associated Infrastructure and Parking, 9.28-Acre Parcel South of Avenue 15 on Little Morongo Land, Parcel Number 37138, City of Desert Hot Springs, California, prepared by Petra Geosciences, September 13, 2016.

Buildings developed as part of the proposed Project will be required to meet the 2019 California Building Code (CBC) and other standards and requirements on seismic design to mitigate ground shaking anticipated from local and regional faults. Adherence to these requirements and the recommendations of the Project-specific geotechnical report will also reduce impacts associated with strong seismic ground shaking to less than significant levels (Mitigation Measure GEO-1).

a.iii) Less Than Significant Impact. Seismically induced liquefaction is the loss of soil strength caused by a sudden increase in pore water pressure during seismic ground shaking. Liquefaction can result in settlement of the ground surface, settlement and tilting of structures, fissuring of the ground surface, and flotation of buoyant buried structures. For liquefaction to occur, groundwater generally must be within 50 feet of the ground surface.

According to the site-specific geotechnical study, ground water levels at the Project site are estimated at between 232± and 244± feet below the existing ground surface. Subsurface soils are largely composed of alluvial fan deposits, including medium to coarse-grained sand to silty sand with increasing numbers of gravels and boulders with depth. Sands are dry, medium dense, and generally gray in color. The study determined that the potential for liquefaction or significant dynamic settlement resulting from liquefaction to occur on the Project site is negligible based on depth to groundwater and the presence of moderately dense to very dense alluvial fan materials. Therefore, Project impacts associated with liquefaction or other related ground failure would be less than significant.

a.iv) No Impact. The Project site sits on the valley floor and is relatively flat with elevations ranging from 944 feet above sea level on the north to 902 feet above sea level on the south. It is surrounded by similarly relatively flat or gently sloping terrain. The nearest hillsides and mountainous slopes are approximately 3 miles north, 5 miles west, and 5 miles east. No impacts associated with landslides will occur.

b) Less Than Significant Impact. The Project site is located on the valley floor, which is susceptible to high wind erosion. Grading and construction will involve removal of the topsoil; however, Project impacts are expected to be less than significant because the Project will be required to implement measures to control fugitive dust (see Air Quality, Section III), which will minimize potential adverse impacts associated with wind erosion. In addition, the City will require implementation of best management practices (BMPs) associated with stormwater flows on the Project site. These standard requirements assure that erosion resulting from storm flows will be controlled onsite. Impacts associated with soil erosion will be less than significant.

c) Less Than Significant Impact with Mitigation. The site is not susceptible to landslides due to its relatively flat terrain and distance from mountainous slopes and hillsides (see a.iv, above). Lateral spreading is a phenomenon associated with liquefaction, and the potential for liquefaction to occur onsite is negligible (see a.iii, above).

Land subsidence is a regional issue in the Coachella Valley that is associated with extensive groundwater pumping. According to the Coachella Valley Integrated Regional Water Management and Stormwater Resource Plan, the subject property is not in an area of documented regional subsidence.[6] However, the Project geotechnical report estimates that subsidence of 0.10 feet on the subject property is expected to occur when exposed bottom surfaces in soil removal areas are scarified and recompacted during site preparation. Adherence to the recommendations of the Project-specific geotechnical report will reduce potential impacts associated with subsidence to less than significant levels (Mitigation Measure GEO-1).

According to the USDA Web Soil Survey, the Project site is underlain by Carsitas fine sand (CkB, 0 to 5 percent slopes) whose parent material is sandy alluvium derived from granite. Due to the composition,

[6] 2018 Coachella Valley Integrated Regional Water Management & Stormwater Resource Plan, Coachella Valley Regional Water Management Group, December 2018, amended December 2020, Exhibit 3-3.

deposition, and relatively youthful age of on-site earth materials, the soils may be subject to collapse. The effects of collapsible soils can be neutralized through proper foundation engineering. Adherence to standard practices and the design parameters recommended in the geotechnical report (Mitigation Measure GEO-1) would reduce the potential for collapse or any other unstable soil conditions to less than significant levels.

CVMSHCP Land Use Adjacency Guidelines

The northerly and easterly boundaries of the subject property are adjacent to the CVMSHCP Upper Mission Creek/Big Morongo Canyon Conservation Area. Where a development project is within or adjacent to a Conservation Area, it is subject to Land Use Adjacency Guidelines to minimize the edge effects of development on the Conservation Area. Per CVMSHCP Section 4.5.7 (Grading/Land Development), "manufactured slopes associated with site development shall not extend into adjacent land in a conservation area." Adherence to Mitigation Measure GEO-2 will assure that Project-related impacts associated with manufactured slopes are less than significant.

d) Less Than Significant Impact. Expansive soils are typically associated with fine-grained clayey soils that have the potential to shrink and swell with repeated cycles of wetting and drying. The soils underlying the Project site are composed of sand and silty sand that does not contain clay. The site-specific geotechnical study determined that near-surface soils exhibit expansion potentials that are within the Very Low range (Expansion Index 0-20). Due to the granular nature of the soil materials onsite, impacts associated with expansive soils will be less than significant.

e) Less Than Significant Impact. The Project site is in the wastewater service boundary of Mission Springs Water District (MSWD); however, MSWD currently does not have sanitary sewer infrastructure in the Project vicinity. The Project would require the use of a septic tank subject to all applicable provisions of the California Building Code, California Plumbing Code, and City requirements. In addition, the Project will be subject to the requirements of the Regional Water Quality Control Board, which has instituted specific standards for cannabis cultivation projects as they relate to the use of septic systems, including mandatory testing and removal of contaminants. Compliance with all applicable requirements, codes, and ordinances would ensure that potential impacts would be less than significant.

f) Less Than Significant Impact with Mitigation. The Project site does not contain any unique geologic features. According to the City's General Plan, the majority of the City is designated as having a low potential for containing paleontological resources, with some areas designated as undetermined. The Riverside County General Plan Draft EIR (Figure 4.9.3) designates the Project site and vicinity as a low sensitivity area for paleontological resources. The Project geotechnical report states that construction is expected to cause a depth of ground disturbance of 5± feet. The likelihood for uncovering paleontological resources during Project development is low, particularly because the Project proposes buildings with relatively shallow foundations which are not likely to penetrate older sediments; nevertheless, consistent with the City's General Plan EIR, Mitigation Measure GEO-3 will ensure that any potential impacts remain less than significant.

Mitigation Measures:

GEO-1 Geotechnical Report Recommendations

Project design and construction should incorporate all recommendations set forth in the Project geotechnical report (Petra Geosciences, September 13, 2016), including but not limited to specifications and guidelines pertaining to earthwork, grading, post-grading, foundation design, footings and slabs on-grade design and construction, corrosivity, masonry and retaining walls, exterior concrete flatwork, and pavement design.

GEO-2 CVMSHCP Land Use Adjacency Guidelines: Grading/Land Development

Project grading and land development shall be subject to CVMSHCP Section 4.5.7 (Grading/Land Development), as follows: Manufactured slopes associated with site development shall not extend

into adjacent land in a conservation area.

GEO-3 Paleontological Resources

In the event that paleontological resources or unique geological features are discovered during construction related activities, a qualified paleontological monitor shall observe all ground disturbing activities at all depths. The paleontological monitor will recover any significant fossil materials that would potentially be impacted by ground disturbing activities. To avoid construction delays, the paleontological monitor should be equipped to salvage fossils immediately as they are unearthed and to remove samples of sediments that are likely to contain the remains of small fossil vertebrates, in accordance with standards for such recovery established by the Society of Vertebrate Paleontology (SVP). Recovered specimens should be prepared to a point of identification, including washing of sediments to recover smaller fossil remains. Specimens shall be identified and curated into a museum repository with retrievable storage.

Monitoring:

GEO-A The applicant shall provide the final grading plan to the Project geotechnical consultant for review and ensure the recommendations are incorporated in the design and that specification are deemed appropriate by the consultant.
Responsible Party: Project engineer, Project Geotechnical Consultant, Project Proponent
Timeline: prior to issuance of grading permits

GEO-B The City shall review Project grading and improvement plans to ensure that they meet CVMSHCP requirements prior to the issuance of grading and building permits for all buildings on the site.
Responsible Party: Planning and Building Departments
Timeline: prior to issuance of grading and building permits

GEO-C Should paleontological resources be identified and a monitor required, the monitor shall observe ground disturbing activities and provide the City with a report of findings within 30 days of the completion of monitoring activities.
Responsible party: Project Contractor, Project Paleontologist, Planning and Building Departments
Timeline: all stages of development

VIII. GREENHOUSE GAS EMMISSIONS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐

Sources: City of Desert Hot Springs General Plan, May 2020; "2003 Coachella Valley PM_{10} State Implementation Plan," August 1, 2003; CalEEMod Version 2020.4.0; Project materials; "Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold," prepared by South Coast Air Quality Management District in October 2008.

Setting

Certain gases in the earth's atmosphere, known as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Prominent GHGs contributing to the greenhouse effect include CO_2, methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. GHGs are emitted during natural and anthropogenic (human-caused) processes. Anthropogenic emissions of these GHGs in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of the earth's climate, known as global climate change or global warming.

State laws such as Assembly Bill 32 (AB 32) and Senate Bill 32 (SB 32) require all cities to reduce greenhouse gas emissions to 1990 levels by the year 2020. SB 32 is the extension of AB 32 which requires the state to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030.

In July 2013, the City of Desert Hot Springs adopted a Climate Action Plan (CAP) for the development and implementation of policies and programs to reduce GHG emissions within the City based on the directives of AB 32 and Executive Order S-3-05. At the same time, the City also adopted an Energy Action Plan (EAP), which outlines the City's strategy to help reduce energy consumption, reduce operating costs, and increase energy awareness within the City.

On December 5, 2008, the SCAQMD formally adopted a greenhouse gas significance threshold of 10,000 $MTCO_2e$/yr that only applies to industrial uses' stationary sources where SCAQMD is the lead agency (SCAQMD Resolution No. 08-35). This threshold was adopted based upon an October 2008 staff report and draft interim guidance document that also recommended a threshold for all projects using a tiered approach. The tiered approach was utilized in the Draft EIR for the City's General Plan Update.

It was recommended by SCAQMD staff that a project's greenhouse gas emissions would be considered significant if it could not comply with at least one of the following "tiered" tests:

- Tier 1: Is there an applicable exemption?
- Tier 2: Is the project compliant with a greenhouse gas reduction plan that is, at a minimum, consistent with the goals of AB 32?
- Tier 3: Is the project below an absolute threshold (10,000 $MTCO_2e$/year for industrial projects; 3,000 $MTCO_2e$/year for residential and commercial projects)?
- Tier 4: Is the project below a (yet to be set) performance threshold?
- Tier 5: Would the project achieve a screening level with off-site mitigation?

Discussion of Impacts

a, b) Less Than Significant Impact. The proposed Project will generate GHG emissions during both construction and operation. As described in Section III, Air Quality, the California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to quantify air quality emission projections, including greenhouse gas emissions (Appendix A).

Construction Emissions

Construction activities will result in short-term GHG emissions associated with operation of construction equipment, employee commute, material hauling, and other ground disturbing activities. As shown in Table 6, the Project is projected to generate 520.45 CO_2e metric tons of GHG emissions per year during the 2-year construction period. There are currently no construction related GHG emission thresholds for projects of this nature. To determine if construction emissions will result in a cumulative considerable impact, buildout GHG emissions were amortized over a 30-year period and added to annual operational emissions to be compared to applicable GHG thresholds (see Table 6).

Operational Emissions

At buildout, five emission source categories will contribute either directly or indirectly to operational GHG emissions: energy/electricity usage, water usage, solid waste disposal, area emissions (pavement and architectural coating off-gassing), and mobile sources. As shown in Table 6, operation of the Project is projected to generate 1,070.37 CO_2e metric tons of GHG emissions per year.

Total Emissions

Table 6 summarizes the projected short-term construction and annual operational GHG generation associated with buildout of the proposed Project. The Project is an industrial development and, therefore, the SCAQMD's Tier 3 industrial threshold of 10,000 $MTCO_2e$/yr is appropriate for comparison to the Project. As shown, the Project is projected to generate a total of 1,087.80 CO_2e metric tons of GHG emissions per year. Project emissions will not exceed the Tier 3 threshold of 10,000 MT/yr. Per the 2019 California Green Building Standards Coded (Title 24 of California Code of Regulations), the Project will be constructed to be zero-net-energy ready by 2030.

Table 6
Projected GHG Emissions
(Metric Tons per year)

Phase	CO_2e (MT/Yr)
Construction	520.45
Operational	1,070.37
Total[1] (30-year amortized construction 17.34 + operational)	**1,087.80**
SCAQMD Threshold (Industrial)	**10,000.00**

[1] Buildout construction emissions were amortized over 30 years then added to buildout operational emissions. 520.45/30 = 17.34
Source: CalEEMod version 2020.4.0 (Appendix A).

City GHG Reduction Policies

The City's General Plan supports the goals of the Climate Action Plan (CAP) and Energy Action Plan (EAP) with policies that promote energy conservation in new development projects (Policy OS-4.1), solar energy systems in commercial uses (Policy OS-4.4), and green building/sustainable construction (Policies OS-6.1

and OS-6.2). The City enforces the 2019 Title 24 Building Code during design review and project approval processes in support of the CAP and EAP. Compliance with the 2019 Title 24 requirements will ensure that the Project will not conflict with any plan, policy, or regulation for GHG reduction, and Project impacts will be less than significant.

Mitigation Measures:
None required.

Monitoring:
None required.

IX. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
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?	☐	☐	■	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	■

Sources: City of Desert Hot Springs General Plan, May 2020; State Water Resources Control Board, https://geotracker.waterboards.ca.gov/map/, accessed on February 25, 2022; California Department of Toxic Substances Control EnviroStor Database, https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=desert+hot+springs, accessed on February 25, 2022.

Setting

Currently, there are several potentially hazardous waste users in the City of Desert Hot Springs that are generally restricted to "small quantity generators." These include medical clinics and facilities, gasoline service stations, equipment and fuel storage yards, and waste haulers. The City is responsible for coordinating with the appropriate agencies in the identification of hazardous material sites, and the active regulation of their timely cleanup.

"GeoTracker" is the State Water Resources Control Board's (SWRCB) online database system used by the State Board, regional boards, and local agencies to track and archive compliance data from authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks. The GeoTracker database provides access to statewide environmental data and tracks regulatory data for the following types of sites:

1. Leaking Underground Storage Tanks (LUST) cleanup sites
2. Cleanup Program Sites (CPS, also known as Site Cleanups [SC] and formerly known as Spills, Leaks, Investigations, and Cleanups [SLIC] sites)
3. Military sites (including Military UST sites, Military Privatized sites, and Military Cleanup sites [formerly known as Department of Defense (DOD) non-UST])
4. Land Disposal sites (Landfills, Surface Impoundments, Waste Piles, Land Treatment Units, Mining Units)
5. Permitted Underground Storage Tank (UST) facilities (Note: Permitted UST information is now being maintained by California Environmental Reporting System (CERS) (http://cers.calepa.ca.gov/); information in GeoTracker related to Permitted USTs is no longer current)
6. Composting Operations
7. Waste Discharge Requirement (WDR) sites
8. Confined Animal / Concentrated Animal Feed Lots facilities
9. Irrigated Lands Regulatory Program (ILRP) sites
10. Oil and Gas Monitoring sites (Aquifer Exemption, Produced Water Ponds, Underground Injection Control, Well Stimulation Projects)

According to GeoTracker, there are several previous LUST cleanup sites in the City but all cases are now closed, and no further activity is required.

EnviroStor is the California Department of Toxic Substances Control's data management system for tracking cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further. According to EnviroStor, a few hazardous materials investigations occurred at area schools; however, all investigations are complete and no further action is required.

Discussion of Impacts

a-b) Less Than Significant Impact. The proposed Project will result in the development of five cannabis cultivation buildings. Generally, cannabis cultivation activities involve the use of various types of chemicals (e.g., fertilizers, pesticides, tetrahydrocannabinol (THC), and hydrocarbon compounds) which can pose fire and health threats to humans. These chemicals, if used improperly or in large quantities, can result in a chemical release into the environment. Onsite cultivation will occur indoors, and relevant chemicals will be transported, stored, used, and maintained in accordance with applicable manufacturer's specifications. It is expected that approximately 104,128 square feet (90%) of the proposed buildings will be used for cultivation and will require the use of fertilizers and similar horticultural products. The remaining space (10% of floor area) will be used for administrative purposes.

Future tenants may incorporate some manufacturing and/or minor processing of cannabis products associated with cultivation under the conditional use permit. There are various types of processes that could be used for cannabis manufacturing. Non-volatile processes typically involve the use of lower risk solvents, such as water (non-reactive) or alcohol (non-explosive, but flammable), to dissolve tetrahydrocannabinol (THC) from the cannabis plant to produce an extract. Volatile processes typically include or require equipment or substances that are volatile in nature (i.e., flammable and/or explosive), such as compressed butane gas and other hydrocarbon compounds, to produce THC extracts typically in the form of Butane Honey Oil (BHO); or carbon dioxide (CO_2) cannabinoid concentrates and oils. Should cannabis manufacturing occur on the Project site, it would involve small amounts of flammable materials which could

be a potential risk to public safety if not stored and processed properly. To minimize the potential risk, the City regulates cannabis facilities through Municipal Code Chapter 5.50 (Marijuana Facilities Regulatory Permit), which will apply to the proposed Project. The City will require administrative approval for cannabis manufacturing activities within an approved cultivation facility (Municipal Code Section 17.180.060). Prior to initiating any cannabis manufacturing, tenants would be required to provide more information on the proposed manufacturing process to be used and specific detailed plans for all equipment, storage areas, and processing areas to the Fire Department.

In addition, State and federal laws (e.g., the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and Title 49 of the Code of Federal Regulations implemented by Title 13 of the California Code of Regulations) also impose strict regulations for the safe transportation of hazardous materials. The Project will be subject to these laws and regulations during construction and operation.

Limited use and compliance with all applicable laws and regulations during Project construction and operation would reduce the potential impacts associated with the routine transport, use, storage, or disposal of hazardous materials to less than significant levels. No mitigation is required.

CVMSHCP Land Use Adjacency Guidelines

The northerly and easterly Project boundaries are adjacent to the CVMSHCP Upper Mission Creek/Big Morongo Canyon Conservation Area. Where a development project is within or adjacent to a Conservation Area, it is subject to Land Use Adjacency Guidelines to minimize the edge effects of development on the Conservation Area. Per CVMSHCP Section 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, it shall incorporate measures to ensure the application of such chemicals does not result in any discharge to the adjacent Conservation Area."

The Project will not generate bioproducts, such as manure. As explained above, it may use and store chemicals and potentially toxic substances. However, all materials will be located indoors, and none will be immediately adjacent to the Conservation Area. All materials will be transported, stored, used, and disposed of in compliance with applicable laws and regulations. Impacts to the Conservation Area will be less than significant.

c) No Impact. No school is located within ¼ mile of the subject property. No impact will occur.

d) No Impact. The subject property is not included in a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. According to the SWRCB GeoTracker database, a LUST Cleanup Site (case #T0606596693) was located immediately west of the subject property at 15501 Little Morongo Road. However, cleanup was completed and the case was closed as of 2005. No impact will occur.

e) No Impact. The subject property is not within the boundaries of an airport land use plan or in the vicinity of a private airstrip. The nearest airport is the Palm Springs International Airport, approximately 6.5 miles south of the site. The Project will not result in safety hazards or excessive noise for people living or working in the area. No impact will occur.

f) Less Than Significant Impact. The Project will be accessed from two driveways on Little Morongo Road and will be required, as a condition of approval, to improve Little Morongo Road along the Project frontage. However, Little Morongo Road is not designated as an evacuation route (General Plan Figure SN-5), and the Project will not alter the existing circulation pattern in the Project area or adversely impact evacuation or emergency access plans. Proposed parking and circulation plans will be reviewed by the Fire and Police Departments to assure that driveways and internal roads are adequate for emergency vehicles. A construction access plan will be required by the City to assure that the Project does not interfere with

emergency access during construction. These standard requirements will ensure that there will be less than significant impacts associated with emergency response plans.

g) No Impact. The Project site is not within or near a wildland fire hazard zone (General Plan Figure SN-5) and is generally surrounded by sparse, low-lying desert vegetation. Therefore, it is not susceptible to wildfires, and the proposed Project will not expose people or structures to significant risks associated with wildfires. No Project-related impact is expected.

Mitigation Measures
None required.

Monitoring:
None required.

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	■	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	■	☐
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;	☐	☐	■	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	■	☐
(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; or	☐	☐	■	☐
(iv) impede or redirect flood flows?	☐	☐	■	☐
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	■	☐
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	■	☐

Sources: City of Desert Hot Springs General Plan, May 2020; Desert Hot Springs General Plan Update and Zoning Amendment Final EIR, May 2020; "County of Riverside Environmental Impact Report No. 521 Public Review Draft, February 2015; "Water Master Plan," MSWD, 2005; MSWD Water and Sewer System Maps, https://www.mswd.org/mswd/page/mswd-water-and-sewer-system-maps, accessed February 2022; "Cannabis Cultivation Policy: Principles and Guidelines for Cannabis Cultivation," State Water Resources Control Board, adopted February 5, 2019; 2020 Coachella Valley Regional Urban Water Management Plan, Water Systems Consulting, Inc., June 30, 2021; "Preliminary Hydrology Study for DHS Industrial Park, APN 665-080-006 & 665-080-008, Little Morongo Road, Desert Hot Springs," Egan Civil, Inc., July 13, 2021; FEMA Flood Insurance Rate Map (FIRM) #06065C0895G, effective August 28, 2008.

Setting

Domestic Water

The subject property is in the Mission Springs Water District (MSWD) service area for domestic water. The District's primary water source is groundwater extracted through a system of wells from the Mission Creek

Subbasin and to a lesser extent from the San Gorgonio Pass Subbasin and Garnet Hill Subarea of the Indio Subbasin. In emergencies, additional water can be obtained on a temporary and limited basis from the Coachella Valley Water District (CVWD) through two interconnections with CVWD's water system. Additional water is obtained through an agreement between the Desert Water Agency (DWA) and Metropolitan Water District of Southern California (MWD) that allows an exchange of Colorado River water for State Water Project (SWP) water. MSWD's domestic water system includes 13 wells, 24 reservoirs, and 1.25 million feet of pipelines. Its service area covers 135 square miles, and it has more than 13,000 connections.

MSWD's water distribution system generally extends under streets in the public right-of-way. A 16-inch water transmission line lies beneath Little Morongo Road adjacent to the subject property. The Project will connect to this water line.

MSWD is responsible, under the California Water Code, for analyzing its current and future water supply and assuring that sufficient supply is available to serve land uses within the District, through the preparation of an Urban Water Management Plan (UWMP). MSWD is required to periodically update the Plan. In 2020, MSWD collaborated with other water purveyors in the Coachella Valley to prepare a regional UWMP.

State Water Code Section 10910(a) states that any City or county that determines that a "Project," as defined in Water Code Section 10912, shall prepare a water supply assessment. The threshold defined by the Water Code includes a proposed industrial, manufacturing, or processing plant, or industrial park housing more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area. The proposed Project will result in a cannabis cultivation facility totaling 122,812 square feet on approximately 8.49 acres and does not meet the threshold numbers for industrial development; therefore, a water supply assessment is not required.

Wastewater Treatment

Many developed areas in Desert Hot Springs are connected to MSWD's sewer system, which conveys wastewater to the Horton and Desert Crest Wastewater Treatment Plants (WWTP). However, sewer infrastructure does not extend to the subject property or its vicinity, and the Project site is expected to rely on a septic system for the foreseeable future.

Flood Control/Drainages

Mission Creek, Big and Little Morongo Creeks, Blind Creek, and Long Creek are the main drainages in the City. They are substantial in area, discharge onto relatively steep alluvial fans, and can have flows of several thousand cubic feet of water per second in major storms.

The Riverside County Flood Control and Water Conservation District (RCFC) is responsible for the management of regional drainages within and in the vicinity of Desert Hot Springs, including rivers, major streams and their tributaries, and areas of significant sheet flooding. The District is empowered with broad management functions, including flood control planning and construction of regional drainage improvements, as well as watershed and watercourse protection related to those facilities.

The Project site is immediately adjacent to and west of the Mission Creek Channel, a stormwater facility managed by RCFC. It is within FEMA Flood Zone AO which designates special flood hazard areas subject to inundation by the one percent annual chance flood (FEMA FIRM map #06065C0895G). The average base flood elevation (depth) onsite is 1 foot with a velocity of 4 feet per second (fps). The Project would be subject to City requirements relating to flood control. The City implements standard requirements for the retention of storm flows. Development projects must retain the 100-year storm flow onsite.

Surface Water Quality

Regional surface water quality is largely dependent upon land uses that affect runoff, such as industrial land uses, urban development, and agriculture. Runoff from stormwater and agricultural irrigation can transport pollutants that collect on the ground surface and affect water quality of receiving streams, rivers,

and channels. The City participates in the National Pollution Discharge Elimination System (NPDES) to protect surface waters from pollution.

Discussion of Impacts

a, e) Less Than Significant Impact with Mitigation. The Project site is in the Whitewater River watershed. All water providers in the watershed are required to comply with Regional Water Quality Control Board (RWQCB) standards for the protection of water quality, including the preparation of site-specific Water Quality Management Plans for surface waters. MSWD is required to meet water quality requirements in its production and delivery of domestic water. Installation of water lines on the Project site will comply with MSWD and RWQCB standards for domestic water conveyance.

In 2019, the State Water Resources Control Board adopted updates to its Cannabis Cultivation Policy and General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities. Compliance with the Cannabis Policy is required to obtain a license from the Department of Cannabis Control (DCC). Commercial cannabis cultivation activities that occur within a structure with a permanent roof and permanent impermeable floor, and that discharge all industrial wastewaters generated to an onsite wastewater treatment system (such as a septic tank and leach field) must obtain separate regulatory authorization (e.g., Waste Discharge Requirements (WDRs) and conditional waiver of WDRs, or other permit mechanism) to discharge the wastewater. Such cannabis cultivators are conditionally exempt from California Department of Public Health and Regional Water Quality Control Board reviews and approvals. The conditions of approval and Project design features will require the Project to comply with all applicable septic system requirements. In addition, the Project will be required to apply for coverage under a waiver with the State Water Board and will be subject to the Regional Water Quality Control Board's discharge standards.

The Project will be required to prepare a Water Quality Management Plan (WQMP) per the Colorado River Basin Regional Board. To minimize the pollutant load associated with urban runoff, the Project also will be required to comply with NPDES regulations, including a Storm Water Pollution Prevention Plan (SWPPP). The conditions of approval and local, state, and federal standard requirements will assure that the Project will not violate any water quality standards or waste discharge requirements or conflict with any water quality control plan or sustainable groundwater management plan. Project impacts will be less than significant.

<u>CVMSHCP Land Use Adjacency Guidelines</u>

The northerly and easterly Project boundaries are adjacent to the Upper Mission Creek/Big Morongo Canyon Conservation Area of the CVMSHCP. Where a development project is within or adjacent to a CVMSHCP Conservation Area, it is subject to Land Use Adjacency Guidelines to minimize the edge effects of development to the Conservation Area. Per CVMSHCP Section 4.5.1 (Drainage), the Project is required to "incorporate plans to ensure the quantity and quality of runoff discharged to the adjacent conservation area is not altered in an adverse way compared to 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 ecosystems processes within the adjacent conservation area." The project is designed, as described below, to retain the 100 year storm onsite. However, in order to assure that storm flows do not impact the adjacent wash, mitigation measure HYDRO-1 is included below to implement the Adjacency Guidelines.

b) Less Than Significant Impact. The proposed Project will require water for cannabis cultivation, associated manufacturing activities, and landscape irrigation. A water demand factor for cannabis cultivation in the Coachella Valley has not been established. However, cannabis cultivators maintain records of water used for irrigation of cannabis, and a local water demand factor for cultivation projects in the neighboring city of Palm Springs was used to estimate the Project's water demand. Based on a water demand factor of 4.55 acre-feet per year per acre, the Project has the potential to generate a demand of 12.83 acre-feet per year (AFY) for cultivation use, assuming all building square footage (122,812 square feet, or 2.82 acres) will be used for cultivation to provide a conservative analysis. For landscape, the Coachella Valley Water District developed a water demand factor of 2.46 acre-feet per year per acre that

is deemed appropriate for this analysis. The Project includes 61,400 square feet (1.41 acres) of landscaping and will generate a demand of approximately 3.47 AFY, resulting in a combined Project total demand of approximately 16.30 AFY.

The 2020 Coachella Valley Regional Urban Water Management Plan (UWMP) was prepared jointly by six water purveyors in the Coachella Valley, including the MSWD that serves the Project site. The UWMP demonstrates that MSWD currently has, and can supply in the future, sufficient water to serve additional development in its service area in normal, single dry, and multiple dry years (UWMP Tables 8-23 through 8-25). MSWD's projected 2045 retail water supply is 17,495 acre-feet. The projected annual water demand for the proposed Project is 16.30 acre-feet, which is approximately 0.001% of the 2045 projected retail water supply. The proposed Project is consistent with the General Plan designation assigned to the site (Industrial with Industrial Cannabis Overlay). This General Plan designation was used by MSWD to project future water demand. Therefore, the Project's water demand is consistent with MSWD projections for future water needs in the area.

The Project area is in the Mission Creek Subbasin of the Coachella Valley Groundwater Basin. The Coachella Valley Groundwater Basin is not adjudicated, rather it is jointly managed by CVWD and Desert Water Agency (DWA) under the terms of the 1976 Water Management Agreement. According to the Regional UWMP, the Mission Creek Subbasin has been in overdraft for many years. After two decades of groundwater recharge and source substitution by CVWD and collaborating agencies, the Mission Creek Subbasin has exhibited increased storage despite the drought.

CVWD and DWA are averting overdraft conditions in the Mission Creek Subbasin through groundwater replenishment with Metropolitan imported water (artificial recharge). A replenishment program using Metropolitan State Water Project SWP exchange water was established for the Mission Creek Subbasin with recharge commencing in 2003. The existing replenishment program is effectively increasing water levels and is expected to stabilize or reverse the water level decline. Currently, MSWD, DWA, and CVWD jointly manage the Mission Creek subbasin under the terms of the Mission Creek Settlement Agreement (December 2004). This agreement and the 2003 Mission Creek Groundwater Replenishment Agreement between CVWD and DWA specify that the available SWP water will be allocated between the Mission Creek and Whitewater River Subbasins in proportion to the amount of water produced or diverted from each subbasin during the preceding year. In 2015, production from the Mission Creek Subbasin was about 7 percent of the combined production from these two subbasins.

The Project would result in construction of new impervious surfaces onsite, including buildings, sidewalks, and a paved parking lot on an approximately 8.49-acre site. Percolation of stormwater would occur in landscaped areas and the retention basin in the southeast corner of the site. Project impacts on groundwater recharge would be less than significant.

The proposed Project will connect to existing water lines within Little Morongo Road. No new wells or additional water infrastructure are proposed.

Based on the 2020 Regional Urban Water Management Plan, MSWD will be able to fulfill the Project's water demand. The Project will be required to comply with the City's water-efficiency requirements, including the use of drought-tolerant planting materials and limited landscaping irrigation. Implementation of these and other applicable requirements will assure that water-related impacts are less than significant.

c, i-iii) Less Than Significant Impact. The subject property is bounded on the north and east by the 300-foot wide Mission Creek Channel, an ephemeral dry wash that conveys stormwater emanating from the San Bernardino Mountains (±5 miles to the northwest) toward the Whitewater River. The northwest-southeast trending channel is managed by the RCFC. The Project will not extend into the channel.

The subject property slopes gently to the southeast with an average downhill gradient of approximately 2%. Currently, onsite runoff drains naturally from northwest to southeast. The proposed Project will result in new impervious surfaces that will increase onsite surface runoff. However, building pads will be constructed with a slope of approximately 2% to mimic the existing slope, thereby maintaining the existing natural drainage pattern. Runoff will sheet flow on parking lot surfaces in a southeasterly direction to a 0.47± acre retention basin in the southeasterly corner of the subject property.

The Project Hydrology Study[7] analyzed the proposed onsite retention system under various 100-year storm events, including the 1, 3, 6, and 24-hour storms. Of all the scenarios, the 100-year 6-hour design storm would require the largest retention basin capable of storing 1.15 acre-feet of runoff. The Project will achieve 100% of stormwater retention through a proposed 0.47± acre retention basin in the southeast corner of the site. Runoff will flow from onsite parking lots and driveways to the stormwater basin. The basin will consist of a depressed landscaped area with light ground cover, with a bottom elevation of 914 feet above sea level and an upper elevation of 920 feet above sea level. It can hold 1.24 acre-feet with a water surface elevation of 919 feet above sea level. The one foot of freeboard can accommodate an additional 0.33 acre-feet of storage during more significant events than the 100-year storm. Overflow from the basin, which could occur in a storm larger than the 100 year storm, would enter the Mission Creek Channel through 6-inch by 6-inch screened openings in the block wall on the east side of the basin, spaced 2 feet apart for the length of the basin. The proposed retention and storage system has sufficient capacity to accommodate the critical 100-year storm event. Project design will comply with relevant City standard requirements, which will assure that impacts associated with storm water retention remain less than significant.

During construction, grading and other earthmoving activities could result in erosion and siltation**.** However, these effects would be limited to the construction phase and prevented through required implementation of a storm water pollution prevention plan (SWPPP) and compliance with the NPDES program and the incorporation of best management practices (BMPs). BMPs may include phasing of construction activities, wind and sand fences, soil retention, mulching, and perimeter controls and sediment barriers. Soil erosion and/or siltation impacts would be less than significant with implementation of existing regulations.

To reduce discharge of pollutants into stormwater runoff from the site during operations, the City will require that the proposed Project shall implement best management practices (BMPs). The proposed Project will be subject to City engineering review, including development-specific assessment of on-site drainage facilities, and be required to comply with all applicable permit regulations and approvals. The proposed onsite retention facilities and compliance with existing regulatory programs would ensure flooding would not occur and that the Project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or generate substantial additional sources of polluted runoff. Impacts will be less than significant.

c, iv) Less Than Significant Impact. The Project site is in a FEMA Flood Zone AO, which is subject to inundation by the one percent annual chance flood (FEMA FIRM map #06065C0895G). The average base flood elevation (depth) onsite is 1 foot, with a velocity of 4 feet per second (fps). Implementation of the proposed onsite drainage retention basin, described above, will ensure that Project-related impacts associated with impeding or redirecting flood flows will be less than significant.

d) Less Than Significant Impact. The Project site is located inland and not subject to tsunami. It is also outside of the Wide Canyon Dam inundation area (General Plan Figure SN-4) and not subject to hazards resulting from dam failure.

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7 "Preliminary Hydrology Study for DHS Industrial Park, APN 665-080-006 & 665-080-008, Little Morongo Road, Desert Hot Springs," Egan Civil, Inc., July 13, 2021.

The site is adjacent to the Mission Creek Channel, an ephemeral dry wash that can become inundated during flood events. According to Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA), the site is in Zone AO which is subject to inundation by the one percent annual chance flood. The average base flood elevation (depth) onsite is 1 foot with a velocity of 4 fps. With proper storage and management of onsite chemicals, as discussed in responses IX.a and IX.b (Hazards and Hazardous Materials), impacts associated with the release of pollutants due to flood inundation will be less than significant.

Mitigation Measures:

HYDRO-1 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 ecosystems processes within the adjacent conservation area, consistent with CVMSHCP Adjacency Guidelines. The final drainage plan and WQMP shall include BMPs to assure that polluted surface water does not enter the adjacent wash.

Monitoring:

HYDRO-A The final drainage plan and WQMP shall demonstrate to the City that adequate BMPs will be implemented to assure that polluted surface waters will not enter the adjacent wash.
Responsible party: Project Engineer, City Engineer
Timeline: prior to approval of final drainage plan and WQMP

XI. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	■
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?	☐	☐	■	☐

Source: City of Desert Hot Springs General Plan, May 2020; City of Desert Hot Springs Zoning Map; City of Desert Hot Springs Municipal Code.

Setting

Development of the Project site is governed by the policies and land use designations of the Desert Hot Springs General Plan and Zoning Ordinance. The site is designated Industrial with an Industrial Cannabis Overlay on the General Plan Land Use Map, and Light Industrial (I-L) on the Zoning Map.

Discussion of Impacts

a) No Impact. The Project site is currently vacant and located in an area designated for industrial development and industrial cannabis uses. The Project is a new cannabis cultivation facility which may include associated manufacturing and distribution uses covered by a conditional use permit for cannabis uses. The Project area is sparsely developed with industrial buildings that are not part of a planned development and operate independently of one another. The proposed Project will not physically divide an established community.

b) Less than Significant Impact. The Project site is designated as Industrial with an Industrial Cannabis Overlay in the City's General Plan, which allows the proposed use. The site is designated for Light Industrial (I-L) uses on the Zoning Map; however, the Zoning Code requires a Conditional Use Permit and Regulatory Permit for indoor cannabis cultivation uses in the I-L zone. The Zoning Code prohibits outdoor cultivation and visibility from any public right-of-way. Should the future tenants decide to include manufacturing and/or distribution uses, they will need to comply with City requirements on each use in the administrative approval process as described in Municipal Code Chapter 17.180 (Marijuana Facilities Operation and Location). All activities will be conducted pursuant to the City's Municipal Code requirements and standards to avoid any conflict with any land use plan, policy, or regulation. Impacts will be less than significant.

Mitigation Measures:
None required.

Monitoring:
None required.

XII. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	■
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?	☐	☐	☐	■

Source: City of Desert Hot Springs General Plan, May 2020.

Setting

Mineral resources in the City of Desert Hot Springs consist mostly of sand and gravel that can be important economic resources used for road base and similar applications. Other mineral deposits in the region include copper, limestone, specialty sands, and tungsten. These deposits are limited to rocky outcroppings in the Little San Bernardino Mountains and have not been exploited.

The Project site is designated for Industrial uses on the General Plan Land Use Map. No existing sand or gravel operations are in the vicinity of the Project site.

Discussion of Impacts

a, b) No Impact. Per the State of California Department of Conservation, Division of Mines classification, the Project site is in Mineral Resource Zone (MRZ)-3 which indicates areas containing known or inferred mineral occurrences of undetermined mineral resource significance (General Plan Figure OS-4). There are no other state-designated Mineral Resource Zones (MRZ) or permitted mining operations in the Project vicinity. The Project site is in a sparsely developed area designated for industrial development and is not zoned for mineral resource extraction. No impact will occur.

Mitigation Measures:
None required.

Monitoring:
None required.

XIII. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	■	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
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?	☐	☐	☐	■

Sources: City of Desert Hot Springs General Plan, May 2020; Riverside County Airport Land Use Compatibility Plan, Volume 1: Policy Document, October 14, 2004.

Setting

One of the main sources of noise in Desert Hot Springs is traffic on major roadways. The City has established goals, policies, and programs to limit and reduce the effects of noise intrusion on sensitive land uses and to set acceptable noise levels for various types of land uses. As part of the development of the Noise Element of the General Plan, noise level measurements were collected at various locations throughout the City to set standards for normally acceptable, conditionally acceptable, and generally unacceptable noise levels (General Plan Table SN-2). Although the Community Noise Equivalent Level (CNEL) on the Project site has not been established, the General Plan shows it is within the 60 CNEL noise contour of Little Morongo Road (General Plan Figure SN-6). The nearest sensitive receptors are single-family dwellings on Atlantic Avenue approximately ½-mile southeast of the subject property.

Discussion of Impacts

a) Less Than Significant Impact. The subject property is currently undeveloped. The main noise source is vehicular traffic on Little Morongo Road.

City's Noise Standards

General Plan noise guidelines (Table SN-2) show that, in industrial areas, exterior noise levels up to 65 dBA are considered Normally Acceptable, and exterior noise levels up to 80 dBA are considered Conditionally Acceptable.

Municipal Code Chapter 8.12 (Noise Control) establishes regulations to control and abate unnecessary, excessive, and annoying noise and vibration. Additionally, construction activities must comply with Municipal Code Section 9.04.030 (Construction – Hours of Work Permitted) which prohibits construction between 5:00 p.m. and 7:00 a.m. When daylight savings time is in effect, construction is prohibited between 6:00 p.m. and 6:00 a.m. Construction activities are also prohibited on Sundays.

Project-Related Noise Generation

The Project site is designated for Industrial (with Industrial Cannabis Overlay) development, for which exterior noise levels up to 65 dBA CNEL are considered Normally Acceptable and noise levels up to 80 dBA are considered Conditionally Acceptable (General Plan Table SN-2). According to the General Plan (General Plan Figure SN-6), the subject property is currently within the 60 CNEL noise contour of Little Morongo Road. At General Plan buildout in year 2040, the subject property is still expected to be within the 60 CNEL of Little Morongo Road. In both scenarios, noise levels are within the Normally Acceptable range.

Construction of the proposed Project will comply with the City's Municipal Code, including Chapter 8.12 and Section 9.04.030 (described above) that minimize construction-related noise impacts. It should be noted that increased noise levels during construction will be temporary, will occur during less sensitive daytime hours in a sparsely developed area, and will not generate continuously high noise levels.

During long-term operation of the Project, major noise sources will include vehicular traffic accessing the site, grounds maintenance equipment, and heating, ventilation, and air conditioning (HVAC) units. Most activities at the Project site will be carried out indoors, which would not generate or expose persons to noise levels that exceed applicable standards. Vehicles accessing the site will include employees' vehicles and delivery trucks that are comparable to the existing vehicle mix on surrounding roads. The operation of heavy equipment or machinery onsite is not anticipated. Traffic noise will not substantially increase beyond that forecasted in the General Plan because the Project is consistent with the land use designation (Industrial with Industrial Cannabis Overlay) assigned by the General Plan and, therefore, consistent with noise levels projected in the General Plan. Project-generated noise levels are not expected to exceed the City's established acceptable noise levels for industrial development. Impacts will be less than significant.

CVMSHCP Land Use Adjacency Guidelines

The northerly and easterly Project boundaries are adjacent to the CVMSHCP Upper Mission Creek/Big Morongo Canyon Conservation Area. Where a development is within or adjacent to a Conservation Area, it is subject to Land Use Adjacency Guidelines to minimize the edge effects of development on the Conservation Area. Per CVMSHCP Section 4.5.4 (Noise), "proposed development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA L_{eq} 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." As explained above, most activities at the Project site will be carried out indoors. When Project noise is combined with existing ambient noise during both construction and long-term operation, noise levels are not expected to exceed 75 dBA L_{eq}. Therefore, impacts to the Conservation Area will be less than significant, and no mitigation is required.

b) Less Than Significant Impact. Ground-borne vibration and/or ground-borne noise will likely be produced during construction of the proposed Project. The human threshold of perception for vibration is 0.0018 inches/second, and Caltrans has established significant thresholds for human annoyance at 0.2 inches/second PPV and 0.3 inches/second PPV for structures. Construction of the proposed Project would not necessitate the use of pile drivers, which are known to generate substantial construction vibration levels.

The highest degree of ground-borne vibration most likely would be generated during the paving phase from operation of a vibratory roller.

Based on Federal Transit Administration (FTA) data, vibration velocities from vibratory roller operations are estimated to be approximately 0.1980 inches/second PPV at 26 feet from the source of activity. Therefore, the vibration levels beyond a 26-foot distance from the construction site would be below the Caltrans threshold for human annoyance and impact on structures. The nearest sensitive receptors are single-family dwellings on Atlantic Avenue approximately ½-mile southeast of the Project site; therefore, no construction would occur within 26 feet of a sensitive receptor, and no structure or people in the Project vicinity would experience levels of ground-borne vibration or noise above the Caltrans thresholds. Construction-related impacts will be temporary and only occur during the less sensitive daytime hours. Ground-borne vibrations or noise are not expected to occur during long-term operation of the Project. Project-related impacts would be less than significant.

c) No Impact. The subject property is not in the vicinity of a private airstrip or within an airport land use plan. The nearest airport, Palm Springs International Airport, is approximately 6.5 miles south of the subject property. The Project will not expose people residing or working in the area to excessive noise levels. No impact would occur.

Mitigation Measures:
None required.

Monitoring:
None required.

XIV. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	☐	☐	■	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Source: City of Desert Hot Springs General Plan, May 2020; CA Department of Finance Demographic Research Unit, Report E-5: Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2021; 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Demographics and Growth Forecast Technical Report, Southern California Association of Governments, adopted September 3, 2020.

Setting

In 2021, the City had a population of 30,086, which is projected to grow to 61,000 by 2045. The housing stock includes 11,702 single- and multi-family residential units and mobile homes, the majority of which are single-family detached units. Cannabis cultivation largely occurs in industrial areas on the west side of the City. The Southern California Association of Governments (SCAG) projects that the City will have 8,700 jobs in 2045.

Discussion of Impacts

a) Less Than Significant Impact. Project construction is expected to occur over a two-year period. Due to the relatively small scale of the Project, construction labor is expected to be derived from the local work force within the Coachella Valley, with the potential for supplemental workers from the greater Riverside County area. Therefore, Project construction is not expected to induce population growth.

During operation, the proposed Project is expected to employ 70 to 100 people who are likely to be existing residents of the City and Coachella Valley. According to the 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) regional growth forecast, the employment forecast for Desert Hot Springs in 2045 is approximately 8,700 employees. Therefore, employment generated by Project would represent approximately 0.01% of total employment in 2045. The Project would not cause an exceedance of SCAG's employment projections or induce substantial indirect population or housing growth related to employment.

The subject property is accessed by Little Morongo Road, and the Project will not require the extension of roads. The Project will connect to existing water lines within Little Morongo Road and, other than lateral connections, will not require extension of water infrastructure. The Project will install an onsite septic system, and no extension of sewer infrastructure will occur. Electric and other utilities are available in the immediate project area. Growth-inducing impacts will be less than significant.

b) No Impact. The subject property is vacant and undeveloped. No housing or persons will be displaced by the Project. No impacts related to population displacement or replacement housing would occur.

Mitigation Measures:
None required.

Monitoring:
None required.

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
Fire protection?	☐	☐	■	☐
Police protection?	☐	☐	■	☐
Schools?	☐	☐	■	☐
Parks?	☐	☐	■	☐
Other public facilities?	☐	☐	■	☐

Sources: City of Desert Hot Springs General Plan, May 2020; Desert Hot Springs General Plan Update and Zoning Amendment Final EIR, May 2020; City's Parks and Recreation Master Plan (2013).

Setting

Fire Protection: The City contracts with the Riverside County Fire Department for fire protection and prevention services. The Project site is not located within a state responsibility area. The nearest fire station to the Project site is Station #37 at 65958 Pierson Boulevard, approximately 3 miles to the northeast.

Police Protection: The Desert Hot Springs Police Department provides law enforcement and crime prevention services to the City. The main police station operates at 65950 Pierson Boulevard, approximately 3 miles northeast of the subject property.

Schools: The Palm Springs Unified School District (PSUSD) provides public school facilities and services to Desert Hot Springs. Facilities in the City include five elementary schools, two middle schools, and one high school, as well as the Wenzlaff Education Center, a continuation school. The nearest school to the subject property is Two Bunch Palms Elementary School, approximately 2 miles to the northeast.

Parks: A total of 71.31 acres are dedicated for parks in Desert Hot Springs, and 39.31 acres are developed as such (General Plan Table HW-1). The four types of parks are: mini, neighborhood, community, and special use. The City prepared its Parks and Recreation Master Plan in 2013 to guide the City's delivery of parks and recreation facilities and services through 2023. The nearest parks to the Project site are Mission Springs Park and Guy J. Tedesco Park, approximately 2.5 and 3 miles to the northeast, respectively.

Other Public Facilities: Public community facilities in Desert Hot Springs include the library, senior center, government facilities, Henry V. Lozano Community Center, Carl May Community Center, Community Health & Wellness Center, and Cabot's Museum.

Discussion of Impacts

Fire Protection:

Less Than Significant Impact. The Project will marginally increase the demand for fire services in the City. The Project would involve use of flammable chemicals, such as fuels and hydrocarbon compounds; however, they will be transported, used, and stored in compliance with state cannabis cultivation regulations.[8] As discussed above in Section IX (Hazards and Hazardous Materials), should future tenant(s) want to incorporate cannabis manufacturing, they would be required to provide more information on the proposed manufacturing process to be used, specific detailed plans for all equipment, storage areas, and processing areas to the Fire Department. These requirements will assure that impacts associated with fire response remain less than significant.

Given the proximity of the nearest fire station, fire personnel will be able to reach the site within the target five-minute response time. Emergency access will be provided to the subject property via the existing public roadway network, and setbacks, driveways, and road easements around the site will provide access to all sides of the buildings. The Fire Department will review the Project site plan to ensure it meets applicable fire standards and regulations. No construction of new or expanded fire services or facilities are required for the proposed Project. Project-related fire protection impacts will be less than significant.

Police Protection:

Less Than Significant Impact. Police personnel will be able to access the site from Little Morongo Road. According to the Final EIR to the City's General Plan, the law enforcement standard is 1.5 sworn officers for every 1,000 residents, consistent with General Plan Policy SN-2.2 Staff Ratio. As of 2019, the Police Department provided 1.3 sworn officers for every 1,000 residents. The Police Department staffing will need to expand over time to continue to meet the changing needs of the growing Desert Hot Springs community. However, the Project would result in only a marginal increase in demand for police services and would not generate any permanent population. Project activities will be required to comply with all Police Department regulations and procedures. The Project will implement additional security measures, including 24-hour onsite security guards, consistent with the requirements of the Municipal Code. Impacts will be less than significant.

Schools:

Less Than Significant Impact. The proposed Project is an industrial facility that will not directly induce population growth but could generate minimal indirect growth from 70 to 100 new jobs. Future employees are likely to be existing residents of the City or Coachella Valley whose students are already enrolled in local schools; however, some limited growth in student enrollment could occur. The Project will be required to pay State mandated school fees in place at the time that building permits are secured. These fees are designed to offset the impacts of new development and their associated employees on schools. Impacts will be less than significant.

[8] California Code Of Regulations- Medical Cannabis Cultivation Program, https://static.cdfa.ca.gov/MCCP/document/CalCannabis%20Initial%20Statement%20of%20Reasons%20and%20SRIA_4.28.17.pdf, accessed September 2021.

Parks/ Other Public Facilities:

Less Than Significant Impact. The Project will not directly induce population growth but could result in minimal indirect growth associated with 70 to 100 new jobs. Any additional use of parks or other public facilities would be minimal, given that most Project employees are likely to be existing residents of the City or Coachella Valley. No new or expanded parks or other public facilities would be required to serve the Project. Impacts would be less than significant.

Mitigation Measures:
None required.

Monitoring:
None required.

XVI. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	■	☐
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?	☐	☐	☐	■

Source: City of Desert Hot Springs General Plan, May 2020.

Setting

The City operates three mini parks (Veteran's Memorial Park, Hot Springs Park, and Constitution Park), three neighborhood parks (Guy J. Tedesco Park, Wardman Park, and Rotary Park), one community park (Mission Springs Park), and four special use centers (Carl May Community Center, Henry V. Lozano Community Center, Cabot's Pueblo Museum, and Community Health & Wellness Center) on 71.31 acres. The City also maintains a joint use agreement with the Palm Springs Unified School District for public use of some recreational facilities at Desert Hot Springs High School. Several private recreational facilities, including golf courses and swimming pools, offer additional recreational opportunities.

Discussion of Impacts

a) Less Than Significant Impact. The Project will not directly generate population growth but will create approximately 70-100 new jobs that could indirectly increase population. It is expected that most employees will be existing residents of Desert Hot Springs or the Coachella Valley, and there would be little to no increased impact on parks or recreational facilities. Any population growth resulting from the Project would be minimal, and increased usage of parks would not be such that substantial physical deterioration of the facility would occur or be accelerated. Impacts would be less than significant.

b) No Impact. The Project does not include recreational facilities and will not require the construction or expansion of facilities. No impact would occur.

Mitigation Measures:
None required.

Monitoring:
None required.

XVII. TRANSPORTATION Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	■	☐	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	■	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
d) Result in inadequate emergency access?	☐	☐	☐	■

Sources: City of Desert Hot Springs General Plan, May 2020; Desert Hot Springs General Plan Update and Zoning Amendment Final EIR, May 2020; "DHS Light Industrial with Cannabis Overlay Traffic Analysis, City of Desert Hot Springs," Urban Crossroads, April 11, 2022; "DHS Light Industrial with Cannabis Overlay, Vehicle Miles Traveled (VMT) Screening Evaluation," Urban Crossroads, April 7, 2022.

Setting

City roads are classified into seven roadway types based on size and design: Urban Arterial, Primary I, Primary II, Secondary I, Secondary II, Collector, and Local Collector. The City's acceptable Level of Service (LOS) for roadway segments and intersection operations is LOS D or better. Most area roadways and intersections currently operate at LOS D or better. SunLine Transit Agency provides bus transit services to the City of Desert Hot Springs and broader Coachella Valley.

The Project site is currently undeveloped and does not generate any traffic. It is accessed by Little Morongo Road between 15th and 16th Avenues. Little Morongo Road is currently a two-lane road but is classified as a Secondary II in the General Plan, which is defined as a 4-lane undivided road with an 80' to 88' right-of-way and on-street parking, with or without a dedicated bike lane, and a LOS E capacity of 26,000 (General Plan Table MI-1).

In April 2022, Urban Crossroads prepared a Traffic Analysis[9] and VMT Analysis[10] (Appendix E) for the proposed Project. The findings are used in the following analysis.

[9] "DHS Light Industrial with Cannabis Overlay Traffic Analysis, City of Desert Hot Springs," Urban Crossroads, April 11, 2022.

[10] "DHS Light Industrial with Cannabis Overlay, Vehicle Miles Traveled (VMT) Screening Evaluation," Urban Crossroads, April 7, 2022.

Discussion of Impacts

a) Less Than Significant with Mitigation.

Level of Service (LOS) Standard

Roadway traffic operations are defined in terms of Level of Service (LOS), a qualitative description of traffic flow ranging from LOS A (free-flowing conditions) to LOS F (breakdown in flow resulting in stop-and-go conditions). The City General Plan identifies LOS D as the minimum threshold for acceptable traffic conditions. Additionally, the Project traffic analysis used the following criteria to identify traffic deficiencies: a deficiency occurs at study area intersections if the pre-Project condition is at or better than LOS D (i.e., acceptable LOS), and the addition of Project trips causes the peak hour LOS of the study area intersection to operate at unacceptable LOS (i.e., LOS E or F). Per the County of Riverside's traffic study guidelines for intersections currently operating at unacceptable LOS (LOS E or F), a deficiency would occur if the Project contributes 50 or more peak hour trips to pre-Project traffic conditions.

Existing LOS (2022)

The Project traffic analysis studied 7 existing and future intersections in the Project area. Existing traffic volumes observed during peak hour conditions were based on traffic count data collected in March 2022. As shown in Table 7, all intersections currently operate at an acceptable LOS (LOS D or better) except Indian Canyon Drive/19th Avenue (intersection #7) which operates at LOS F in the PM peak hour.

Table 7
Intersection Analysis, Existing (2022) Conditions

#	Intersection	Traffic Control[1]	Delay[2] (seconds)		Level of Service[2]	
			AM	PM	AM	PM
1	Little Morongo Rd./Two Bunch Palms Trl.	AWS	15.3	15.1	C	C
2	Little Morongo Rd./i-Storage N. Driveway	CSS	15.6	15.5	C	C
3	Little Morongo Rd./Dillon Rd.	AWS	33.2	26.0	D	D
4	Indian Canyon Dr./Dillon Rd.	TS	29.3	21.8	C	C
5	Little Morongo Rd./N. Driveway	Intersection does not exist				
6	Little Morongo Rd./i-Storage S. Driveway	CSS	13.6	12.7	B	B
7	Indian Canyon Dr./19th Ave.	CSS	32.5	**69.3**	D	**F**

[1] AWS = All Way Stop; CSS = Cross-Street Stop; TS = Traffic Signal
[2] Per the Highway Capacity Manual 6th Edition (HCM6), overall average intersection delay and LOS are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown. Delay and LOS are calculated using Synchro 11 analysis software. **BOLD** = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).
Source: "DHS Light Industrial with Cannabis Overlay Traffic Analysis, City of Desert Hot Springs," Urban Crossroads, April 11, 2022, Table 3-1.

Project Trip Generation

Trip generation represents the amount of traffic that is both attracted to and produced by a development. To estimate the Project's trip generation, the Project traffic analysis applied trip generation rates for Marijuana Cultivation and Processing Facility (land use code 190), as provided by the Institute of Transportation Engineers (ITE) in its Trip Generation Manual 11th Edition (2021), to the Project. Based on these rates, the Project is estimated to generate approximately 705 new trips per day, including 80 AM peak hour trips and 74 PM peak hour trips (Table 8).

Table 8
Project Trip Generation Summary

Trip Generation Rates[1]					
Land Use	**ITE LU Code**	**Quantity[2]**	**Total AM Peak Hour**	**Total PM Peak Hour**	**Daily**
Marijuana Cultivation and Processing Facility	190	TSF	0.69	0.64	6.08
Project Trip Generation Results					
Land Use	**ITE LU Code**	**Quantity[2]**	**Total AM Peak Hour**	**Total PM Peak Hour**	**Daily**
Marijuana Cultivation and Processing Facility	190	116 TSF	80	74	705

[1] Trip Generation Source: Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, 2021.
[2] TSF = thousand square feet
Source: "DHS Light Industrial with Cannabis Overlay Traffic Analysis, City of Desert Hot Springs," Urban Crossroads, April 11, 2022, Table 4-1.

Future LOS: EAP (2024)
The Project is expected to be operational in 2024. The Project traffic analysis evaluated impacts of the Project in addition to existing traffic and ambient/background growth in the Existing plus Ambient Growth plus Project (EAP) scenario. It assumed an ambient/background growth rate of 4.04% (2 percent per year over 2 years, compounded annually). Cumulative development projects were not included as part of the EAP analysis.

As shown in Table 9, under the EAP scenario, all studied intersections are projected to operate at an acceptable LOS (LOS D or better), except the intersections of Little Morongo Road/Dillon Road (#3) and Indian Canyon Drive/19th Avenue (#7). These two intersections are expected to operate at an unacceptable LOS (LOS E or worse) with or without the addition of Project traffic. Installation of traffic signals at both intersections would reduce delays and raise LOS to acceptable levels. The proposed Project would be required to contribute to traffic signal costs; however, because the Project would not be solely responsible for unacceptable LOS, it would only be required to pay its fair share (Mitigation Measure TRANS-1). With implementation of TRANS-1, Project impacts to intersections would be less than significant.

Table 9
Intersection Analysis, EAP (2024) Conditions

#	Intersection	Traffic Control[1]	Delay[2] (seconds)		Level of Service[2]	
			AM	PM	AM	PM
1	Little Morongo Rd./Two Bunch Palms Trl.	AWS	16.6	16.6	C	C
2	Little Morongo Rd./i-Storage N. Driveway	CSS	16.4	16.2	C	C
3	Little Morongo Rd./Dillon Rd.	AWS	**47.3**	**37.0**	**E**	**E**
	* With Improvements	**TS**	23.6	20.8	C	C
4	Indian Canyon Dr./Dillon Rd.	TS	30.0	23.4	C	C
5	Little Morongo Rd./N. Driveway	**CSS**	16.1	14.8	C	B
6	Little Morongo Rd./i-Storage S. Driveway	CSS	17.6	19.5	C	C
7	Indian Canyon Dr./19th Ave.	CSS	**38.1**	**>80**	**E**	F
	* With Improvements	**TS**	3.1	4.4	A	A

[1] AWS = All Way Stop; CSS = Cross-Street Stop; TS = Traffic Signal
[2] Per the Highway Capacity Manual 6th Edition (HCM6), overall average intersection delay and LOS are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown. Delay and LOS are calculated using Synchro 11 analysis software. **BOLD** = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).
Source: "DHS Light Industrial with Cannabis Overlay Traffic Analysis, City of Desert Hot Springs," Urban Crossroads, April 11, 2022, Table 5-1.

Future LOS: EAPC (2024)
The Project traffic analysis also evaluated an Existing plus Ambient Growth plus Project plus Cumulative (EAPC) (2024) scenario. It analyzed Project impacts in conjunction with existing traffic, ambient/background growth, and cumulative growth caused by other known development projects currently underway or proposed in the Project area. It assumed an ambient/background growth rate of 4.04% (2 percent per year over 2 years, compounded annually), and included 10 cumulative development projects proposed in the Project area.

As shown in Table 10, under the EAPC scenario, all studied intersections are projected to operate at acceptable LOS, except the intersections of Little Morongo Road/Dillon Road (#3) and Indian Canyon Drive/19th Avenue (#7). These two intersections are projected to operate at an unacceptable LOS (LOS E or worse). Installation of traffic signals at both locations address intersection operational deficiencies for opening year (2024) conditions, with or without the addition of the addition of Project traffic, and improve LOS to acceptable levels. The proposed Project would be required to contribute to traffic signal costs. Because the Project would not be solely responsible for unacceptable LOS, it would only be required to pay its fair share (Mitigation Measure TRANS-1). With implementation of TRANS-1, Project impacts to intersections would be less than significant.

Table 10
Intersection Analysis, EAPC (2024) Conditions

#	Intersection	Traffic Control[1]	Delay[2] (seconds)		Level of Service[2]	
			AM	PM	AM	PM
1	Little Morongo Rd./Two Bunch Palms Trl.	AWS	22.5	23.0	C	C
2	Little Morongo Rd./i-Storage N. Driveway	CSS	17.5	17.9	C	C
3	Little Morongo Rd./Dillon Rd.	AWS	**>80**	**>80**	**F**	**F**
	* With Improvements	**TS**	46.2	50.0	D	D
4	Indian Canyon Dr./Dillon Rd.	TS	37.4	31.4	D	C
5	Little Morongo Rd./N. Driveway	**CSS**	17.2	16.2	C	C
6	Little Morongo Rd./i-Storage S. Driveway	CSS	18.9	22.4	C	C
7	Indian Canyon Dr./19th Ave.	CSS	**>80**	**>80**	**F**	**F**
	* With Improvements	**TS**	5.5	15.2	A	B

[1] AWS = All Way Stop; CSS = Cross-Street Stop; TS = Traffic Signal
[2] Per the Highway Capacity Manual 6th Edition (HCM6), overall average intersection delay and LOS are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown. Delay and LOS are calculated using Synchro 11 analysis software. **BOLD** = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).
Source: "DHS Light Industrial with Cannabis Overlay Traffic Analysis, City of Desert Hot Springs," Urban Crossroads, April 11, 2022, Table 6-1.

Alternative Transportation Plans

The Project area is largely undeveloped and there are few bike lanes, multi-modal pathways, transit routes, or other alternative transportation facilities in the area (see traffic study Exhibit 3-4).

Transit Facilities

Little Morongo Road is not designated as a current or future transit route (General Plan Figure MI-6), and the Project will have no impact on transit facilities, plans, or policies.

Bicycle and Pedestrian Facilities

The General Plan (Figure MI-5) designates Little Morongo Road for an off-street bike path (Class 1). A limited sidewalk and on-street bike lane are located on the east side of Little Morongo Road, north of 16th Avenue and adjacent to an industrial development south of the Project site. The Project will be required to install similar improvements, consistent with City requirements and policies.

The General Plan (Figure MI-5) designates the Mission Creek Channel, including the portion adjacent to the Project site, as a future CV Link Class 1 alignment for low-speed electric vehicles, bicycles, and pedestrians. The Project will not encroach into the Mission Creek Channel and will be separated from it by a 6-foot wall. No impact to the future pathway will occur.

b) Less Than Significant Impact. Pursuant to Senate Bill 743 (SB 743), CEQA Guidelines were amended to require all lead agencies to adopt vehicle miles traveled (VMT) as a replacement for automobile delay-based level of service (LOS) for identifying transportation impacts for land use projects. This statewide mandate went into effect July 1, 2020.

The City of Desert Hot Springs has not adopted regulations or thresholds pertaining to VMT. Therefore, the following Project VMT analysis is based on the adopted County of Riverside's Transportation Analysis Guidelines for Level of Service & Vehicle Miles Traveled (December 2020), which the City utilizes for VMT analysis. According to Riverside County's VMT Guidelines, projects that meet certain VMT screening

criteria may be presumed to result in a less than significant transportation impact. The following VMT screening criteria are appropriate for light industrial, warehouse, and research and development projects:

- Small Projects, including General Light Industrial buildings with area less than or equal to 179,000 square feet

- Projects Near High Quality Transit

The Project proposes indoor cannabis uses with a total building area of 122,812 square feet. Cannabis uses are consistent with the City's General Plan Industrial designation and Cannabis Overlay, and the Light Industrial zoning designation. Therefore, the Project meets the Small Projects screening threshold of the County VMT guidelines and can be determined to have less than significant impacts on circulation. The Project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

c) Less Than Significant Impact. The Project will be accessed from two new driveways on Little Morongo Road and will not create any sharp curves, dangerous intersections, hazardous geometric features, or vehicles that are incompatible with existing traffic in the area. Construction plans will be coordinated with the City so that construction activity does not interfere with traffic on nearby roads, particularly Little Morongo Road.

The Project traffic analysis recommends the following on-site improvements (see also Traffic Analysis Exhibit 1-4) to minimize potential safety hazards associated with site access which are standard requirements that will be applied to the Project. With implementation of these requirements, impacts associated with safety hazards will be less than significant.

- Little Morongo Road: Construct Little Morongo Road from the Project's northerly boundary to the Project's southerly boundary at its ultimate half-section width as a 4-lane Secondary II undivided highway.
- Little Morongo Road/North Project Driveway: Cross-street stop control on the westbound approach provided acceptable peak hour service levels.
- Little Morongo Road/i-Storage South Driveway – South Project Driveway: Cross-street stop control on the westbound approach provides acceptable peak hour service levels.
- Onsite traffic signing and striping should be implemented in conjunction with detailed construction plans for the Project site.
- Sight distance at the project access points should be reviewed with respect to standard Caltrans and City of Desert Hot Springs sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

d) No Impact. Emergency access to the Project site is taken from Little Morongo Road and the surrounding roadway network. Little Morongo Road is not designated as an evacuation route (General Plan Figure SN-5). Construction plans will be coordinated with the City and emergency providers, as needed, to assure that emergency access is maintained throughout all stages of Project development. No Project impact is anticipated.

Mitigation Measures:

TRANS-1 Fair Share Cost of Traffic Signal Improvements
To mitigate the Project's contribution to cumulative traffic deficiencies, the Project shall pay its fair share costs of the following intersection improvements:

3. Intersection of Little Morongo Road/Dillon Road:
   Improvement: install traffic signal
   Project's fair share: 17.9%

4. Intersection of Indian Canyon Drive/19th Avenue:
   Improvement: install traffic signal
   Project's fair share: 4.3%

Monitoring:

TRANS-A The City shall document the receipt of the designated fair share costs of installing traffic signals, as described in TRANS-1 prior to the issuance of grading permits.
Responsible Party: City Engineer
Timeline: prior to the issuance of grading permits

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and 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 Resources Code section 5020.1(k), or	☐	☐	■	☐
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.	☐	☐	■	☐

Sources: City of Desert Hot Springs General Plan, May 2020; Desert Hot Springs General Plan Update and Zoning Amendment Final EIR, May 2020; "Update to Historical/Archaeological Resources Survey, Desert Hot Springs Research and Development Park Project, Assessor's Parcel Numbers 665-080-006 and -008, City of Desert Hot Springs, Riverside County, California," CRM TECH, April 11, 2022.

Setting

The most recent identifiable native culture in the Coachella Valley is the Desert Cahuilla. The oldest cultural resources reported in the City are from the "Paleo-Indian Period" which dates to at least 11,000 B.C. According to the General Plan, prehistoric resources may occur in the vicinity of fault-related mesquite and palms, as well as resources associated with mountain washes, streams, and canyons. The Mission Creek and Banning fault zones should be considered sensitive potential resources areas. Mesquite thickets that generally occur in dune areas are also sensitive areas since mesquite and screwbean pods were staples in the diet of the region's Cahuilla Indians. These resources are sparsely distributed within the City boundaries.

Discussion of Impacts

a. i, ii) Less Than Significant. As discussed above in Section V, Cultural Resources, no historical or archaeological resources are known to occur on the subject property. The Project site does not contain any tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), as confirmed by the City of Desert Hot Springs as the lead agency. However, excavation at the site could extend to 5± feet deep, which could result in uncovering of buried resources. During grading, any discovered cultural resources would be qualified as a resource defined under Public Resources Code section 5020.1(k).

In compliance with Assembly Bill 52 (AB 52), the City initiated the Tribal Consultation process by contacting 14 tribal representatives in writing on February 16, 2022 and notifying them of the proposed Project. The 30-day response period ended on March 16, 2022, and no responses were received. Therefore, no additional information or input about tribal cultural resources in the Project area was received.

As part of the Project-specific cultural resources survey prepared in April 2022[11], CRM TECH requested information about tribal cultural resources in the Project area from the Agua Caliente Band of Cahuilla Indians (ACBCI) and the Morongo Band of Mission Indians. The ACBCI indicated that the Project is within the tribe's Traditional Use Area and that a trail is near the Project area. It also requested to review all cultural resources documentation generated for the Project. No response was received from the Morongo Band. CRM TECH invited the ACBCI to participate in the site-specific archaeological field survey; however, no tribal representative was able to attend.

In order to assure that Tribal cultural resources are not impacted during Project construction, implementation of Mitigation Measures CUL-1 and CUL-2 in Section V, Cultural Resources, will assure their protection and impacts will be less than significant.

Mitigation Measures:
See Section V, CUL-1 and CUL-2.

Monitoring:
See Section V, CUL-A and CUL-B.

[11] "Update to Historical/Archaeological Resources Survey, Desert Hot Springs Research and Development Park Project, Assessor's Parcel Numbers 665-080-006 and -008, City of Desert Hot Springs, Riverside County, California," CRM TECH, April 11, 2022.

XIX. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	■	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	■	☐
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?	☐	☐	■	☐
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?	☐	☐	■	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

Source: City of Desert Hot Springs General Plan, May 2020, Desert Hot Springs General Plan Update and Zoning Amendment Final EIR, May 2020; 2020 Coachella Valley Regional Urban Water Management Plan, Water Systems Consulting, Inc., June 30, 2021; CalRecycle https://www2.calrecycle.ca.gov/SolidWaste/ Site/Search; accessed March 2022; Desert Valley Disposal Inc. (DVD), http://www.desertvalleydisposal.com; accessed March 2022; FEMA Flood Insurance Rate Map (FIRM) #06065C0895G, effective August 28, 2008.

Setting

Domestic Water

The Project site is in the Mission Springs Water District (MSWD) service area for domestic water. The District's primary water source is groundwater extracted through a system of wells from the Mission Creek Subbasin, and to a lesser extent from the San Gorgonio Pass Subbasin and Garnet Hill Subarea of the Indio Subbasin. Additional water can be obtained on a temporary and limited basis from the Coachella Valley Water District (CVWD) through two interconnections with CVWD's water system. Additional water is obtained through an agreement between the Desert Water Agency (DWA) and Metropolitan Water District of Southern California (MWD) that allows an exchange of Colorado River water for State Water Project (SWP) water. MSWD's water distribution system generally extends under streets in the public right-of-way.

The Project will connect to an existing 16-inch water transmission line beneath Little Morongo Road adjacent to the subject property.

In the most recent Urban Water Management Plan (2020), MSWD demonstrated that it has available, and can supply in the future, sufficient water to serve additional development in its service area.

Wastewater Treatment
The subject property is in the service area of the MSWD which provides wastewater collection and treatment services to much of the City of Desert Hot Springs. However, wastewater infrastructure does not extend to the subject property or its vicinity, nor are such facilities planned in the near future. The Project will rely on an on-site septic system for wastewater treatment.

Storm Water Management
Storm water drainage infrastructure in the City consists of natural and improved streams, storm drains, storm channels, and catch basins intended to manage stormwater that flows into the Whitewater River. The Mission Creek Channel, immediately east of the Project site, is an ephemeral dry wash that drains runoff from the San Bernardino Mountains northwest of the Project site to the Whitewater River.

The Project site is in FEMA Flood Zone AO, which designates special flood hazard areas subject to inundation by the one percent annual chance flood (FEMA FIRM map #06065C0895G). The average base flood elevation (depth) onsite is 1 foot, with a velocity of 4 feet per second (fps). The Project would be subject to City requirements relating to flood control. The City implements standard requirements for the retention of storm flows. Development projects must retain the 100-year storm flow onsite. See discussion in Section X, Hydrology and Water Quality.

Solid Waste
Desert Valley Disposal, Inc. (DVD) provides solid waste disposal through a franchise agreement with the City. Services include residential, commercial, and roll-off trash disposal. Trash and recycled materials are transported to the Edom Hill Transfer Station, then to the Lamb Canyon Landfill located in Beaumont and operated by the County of Riverside.

Utility Providers
The Project area is currently served by the following utilities and service providers:

Electricity: Southern California Edison
Gas: Southern California Gas Company
Telephone: Frontier
Cable: Spectrum

Discussion of Impacts

a, c) Less Than Significant Impact. The Project area is currently served by water, electricity, natural gas, and telecommunication services. The Project will connect to these utility service networks and, other than parcel-level connections, will not require the construction or expansion of additional facilities because the proposed Project will not significantly increase demand for services. Wastewater infrastructure is not available in the Project vicinity; therefore, the Project will require a septic system on site and will not be connected to wastewater treatment facilities. As discussed in Section X.c.ii-iii (Hydrology and Water Quality), the proposed onsite stormwater retention basin and compliance with existing regulatory programs would ensure that the Project will not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems. The Project is not expected to require or result in the construction or relocation of new or expanded utility facilities. Impacts will be less than significant.

b) Less Than Significant Impact. The proposed Project will require water for cannabis cultivation and landscape irrigation. As discussed in Section X.b (Hydrology and Water Quality), the Project is expected to generate a demand of 16.30 acre-feet per year. MSWD's 2045 projected retail water supply is 17,495 acre-

feet. Therefore, the annual water demand at Project buildout is approximately 0.001% of the 2045 projected retail water supply. The Project is consistent with the General Plan designation assigned to the subject property (Industrial with Industrial Cannabis Overlay), and this General Plan designation was used by MSWD to determine water demand for the future in the 2020 Coachella Valley Regional Urban Water Management Plan (UWMP). The UWMP determined that MSWD currently has, and can supply in the future, sufficient water to serve additional development in its service area in normal, single dry, and multiple dry years (UWMP Tables 8-23 through 8-25). Therefore, Project-related impacts will be less than significant.

d, e) Less Than Significant Impact. Desert Valley Disposal provides solid waste services to the City and uses the Edom Hill Transfer Station as a local collection point before transporting solid waste to Lamb Canyon Landfill. The Transfer Station does not have a daily transfer limit. Lamb Canyon Landfill is permitted to receive 5,000 tons per day and has a total capacity of 38.9 million cubic yards. As of 2015, the landfill was estimated to have a remaining capacity of 19.2 million cubic yards (49% of total capacity). Lamb Canyon Landfill is estimated to operate until 2029.

Project construction would generate solid waste in the form of trash, debris, construction waste, and other materials. The Project applicant would be required to submit a construction and demolition (C & D) waste plan as part of the building permit application. The plan would need to demonstrate that the diversion requirements of Municipal Code Section 8.08.040 (Diversion requirements – Covered projects requirements) are met, including diversion of at least 50 percent of all construction waste for new construction. Any hazardous materials (e.g., chemicals, oils, fuels, lubricants, paints, and solvents) would be recycled, treated, and/or disposed of in accordance with federal, State, and local laws (See Section IX, Hazards and Hazardous Materials). Non-hazardous materials that cannot be reused or recycled would be accepted for disposal at Riverside County landfills. Compliance with the City's requirements will assure that impacts associated with construction waste remain less than significant.

As part of the cultivation plan for nursery licenses required by the California Department of Food and Agriculture (CDFA Cannabis Regulations §8308, Cannabis Waste Management Plan), the Project applicant would be required to prepare a cannabis waste management plan that identifies one or more methods for managing cannabis waste generated on its licensed premises, such as recycling and reintroduction of cannabis waste back into agricultural operation; on-site composting of cannabis waste; collection and processing of cannabis waste by a local agency, waste hauler franchised or contracted by a local agency, or private waste hauler permitted by a local agency; and self-haul cannabis waste to permitted facilities. The cannabis waste management plan requirement also applies to manufacturing uses (§17223, Waste Management).

Based on Industrial Sector Generation Factors provided by CalRecycle, the proposed Project may generate approximately 737 pounds per day of solid waste, including organic waste such as stems and leaf residue.[12] State law (AB 939) requires a 50 percent diversion of solid waste from landfills; after diversion, the Project would generate approximately 369 pounds per day of solid waste. The Lamb Canyon Landfill has sufficient capacity to accommodate solid waste from the proposed Project.

Desert Valley Disposal is responsible for maintaining standards that assure that all waste is handled in a manner that meets local, state, and federal standards. These requirements will assure that impacts associated with solid waste disposal remain less than significant.

Mitigation Measures:
None required.

Monitoring:
None required.

[12] Solid Waste Generation Rate for Industrial Use = 0.006 pound per square foot per day.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■

Sources: City of Desert Hot Springs General Plan, May 2020; Desert Hot Springs General Plan Update and Zoning Amendment Final EIR, May 2020; Fire Hazard Severity Map, CalFire, https://egis.fire.ca.gov/FHSZ/, accessed March 2022.

Setting

The California Department of Forestry and Fire Protection (CalFire) prepares maps that identify state responsibility areas (SRA), local responsibility areas (LRA), and Very High Fire Hazard Severity Zones (VHFHSZ). These maps show that the majority of Desert Hot Springs is in local responsibility areas and outside fire hazard zones. According to General Plan Figure SN-5, Wildfire Hazards, the Project area is not within or near any locally or state designated fire hazard zones or SRAs. In addition to the City's implementation of the California Fire Code, development standards from the Riverside County Fire Department (RCFD) also apply. These standards are implemented through the review of development proposals by the RCFD in coordination with review by City staff.

Discussion of Impacts

a) No Impact. The Project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. The nearest fire hazard areas are approximately 7 miles to the north.

The Project site is accessed via Little Morongo Road, which is not designated as an evacuation route but can be used by the Project to access nearby evacuation routes. The primary emergency evacuation routes in the Project area include I-10, Indian Canyon Avenue, Dillon Road, Pierson Boulevard, and Palm Drive (General Plan Figure SN-5).

Project construction plans will be reviewed by and coordinated with the City and Fire Department to assure that adequate emergency access is maintained during the construction process. No impact is anticipated because no change in emergency response or evacuation plans will occur as a result of the Project.

b, c) No Impact. The Project site is designated as a local responsibility area on CalFire wildfire severity maps. It is not in a very high wildfire severity zone and is not designated as, or located near, state responsibility lands. The nearest very high wildfire severity zone is approximately 3 miles to the north. The Project area has a low threat of wildland fires because of lack of vegetation, distance from mountain slopes, and intervening urban development. The Project would not expose people to wildfire risks or require the installation or maintenance of wildfire infrastructure that could exacerbate fire risks or result in adverse environmental impacts. No impact would occur.

d) No Impact. The Project site is not in or near a state responsibility area or very high fire hazard severity zone and, therefore, would not expose people or structures to downslope flooding or landslides resulting from post-fire slope instability or drainage changes. No impact would occur.

Mitigation Measures:
None required.

Monitoring:
None required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE **Does the project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	■	☐	☐
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)?	☐	☐	■	☐
c) Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	■	☐

Discussion of Impacts

a) Less Than Significant with Mitigation.

Biological Resources: The Project site does not contain any wildlife corridors or biological linkages. However, onsite vegetation could provide habitat for burrowing owl, loggerhead shrike, and nesting birds covered by the MBTA. Therefore, pre-construction surveys and construction Best Management Practices (BMPs) will be required to avoid or reduce impacts to these species to less than significant levels.

The Project site is within the boundaries of the CVMSHCP and adjacent to the Upper Mission Creek/Big Morongo Canyon Conservation Area. In addition to payment of the Local Development Mitigation Fee to mitigate potential impacts to covered species under the CVMSHCP, the Project will be subject to Land Use Adjacency Guidelines to minimize edge effects on the conservation area. Implementation of Mitigation Measures BIO-3, AES-1, and GEO-2 and their corresponding monitoring programs will reduce potential impacts to the conservation area to less than significant levels.

Cultural Resources: No cultural resources are known to exist within or adjacent to the Project site. However, since the Project will result in soil disturbances, including excavation and grading, there is a potential for unknown resources to be uncovered. Implementation of Mitigation Measures CUL-1 and CUL-2 and their monitoring programs will ensure that, in the unlikely event that cultural and/or tribal resources are discovered during Project development, impacts are less than significant.

Overall, there will be no significant environmental impacts which cannot be mitigated. Project related impacts, including cumulative impacts, are considered less than significant with mitigation.

b) Less Than Significant Impact. The Project will contribute to the cumulative impacts of development in the City of Desert Hot Springs and broader Coachella Valley. However, the Project's proposed land use is consistent with the General Plan designation assigned to the site, and its level of impact is consistent with that analyzed in the General Plan EIR. No significant cumulative impacts are expected. All environmental impacts that could occur as a result of the proposed Project would be less than significant with the implementation of mitigation measures. When viewed in conjunction with other closely related past, present, or reasonably foreseeable future projects, Project impacts would not be significant.

c) Less Than Significant Impact. The Project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, with implementation of the City's Municipal Code, other standard requirements, and requirements of law, as described in this document.