

# **Addendum to the Mitigated Negative Declaration**

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**Addendum Associated With  
Conditional Use Permit 38-17**

**Cabot Management LLC  
(C11-22-0000080-APP)**

Prepared by:

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## 1.0 INTRODUCTION AND PROJECT HISTORY

In 2017, the City of Desert Hot Springs City Council adopted a Mitigated Negative Declaration (MND) for San Jac Facilities, LLC Project (CUP 38-17), referred to herein as “previous Project” “Project,” or “IS/MND”. Proposed revisions to the “previous Project” are referred herein as “revised Project.” The San Jac Facilities, LLC // Cabot Management LLC IS/MND evaluated the impacts associated with the proposed development of a two-story building for the indoor cultivation and processing of marijuana and associated improvements on a 1.25 gross-acre site in accordance with Desert Hot Springs Municipal Code 5.50 and 7.180.78. The Project site was secured with wrought iron or tubular steel fencing for security purposes. At total buildout, the Project site was intended to be 33,214 square feet.

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

The Project is located on 1.25 gross acres of undisturbed desert land located east of Cabot Road, 300 feet south of Two Bunch Palms Trail in the City of Desert Hot Springs, California.

*Total Project Area:*

1.25 gross acres

*Assessor’s Parcel Number:*

665-030-025

*Section, Township & Range Description, or reference:*

Portion of the Northwest  $\frac{1}{4}$  of Parcel 8 R.S. 21/55 Section 1, Township 3S, Range 4E, San Bernardino Base Line & Meridian

The 1.25 gross-acre site consists of vacant desert land and is located east of Cabot Road, 300 feet south of Two Bunch Palms Trail in the City of Desert Hot Springs. The Project site contains slight to moderate amounts of typical desert vegetation (scrub brush and low-lying plants). Topographically, the site drains to the south. North and east of the property is the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) Morongo Wash Conservation Area. The entire site is within Federal Emergency Management Agency (FEMA) flood zones AO, with a depth of 3 feet and velocity of 9 FPS.

In accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this addendum addresses the potential environmental impacts associated with the proposed additional use (distribution) within the already existing building and provides an evaluation of potential environmental impacts in relation to the original Project evaluated in the adopted IS/MND, as well as the new environmental topics required by the most current CEQA Guidelines. The addendum is an informational document intended to be used in the planning and decision-making process as provided under Section 15164 of the CEQA Guidelines. The addendum does not recommend approval or denial of the proposed modifications of the previous Project. The

conclusion of this addendum is that the proposed changes to the Project will neither result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in the previously adopted MND. Thus, a subsequent MND is not required.

## **2.0      STAUTORY BACKGROUND**

The City of Desert Hot Springs is the CEQA lead agency responsible for the Project. Under CEQA, an addendum to a certified Environmental Impact Report (EIR) or a Negative Declaration (ND) may be prepared if minor technical changes or additions to the proposed Project are required or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR (or MND) have occurred (CEQA Guidelines Section 15164[b]). An addendum is appropriate if the Project changes or modifications do not result in any new significant impacts or a substantial increase in severity of previously identified significant impacts. The addendum need not be circulated for public review (CEQA Guidelines Section 15164[c]); however, an addendum is to be considered along by the decision-making body prior to deciding on the Project (CEQA Guidelines Section 15164[d]).

This MND addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the MND remain substantively unchanged by the revised Project description detailed herein and supports the findings that the proposed Project does not raise any new issues and does not exceed the level of impacts identified in the previous MND. Further, rather than only focusing on the characterization of whether the Project is “new” or “old”, the City has also evaluated the previous environmental document to determine if it retains any relevance in light of the proposed changes, and if any major revisions to the document are required due to the involvement of new, previously unstudied significant environmental effects. The subsequent review provisions of CEQA are designed to ensure that an agency proposing changes to a previously approved Project explores environmental impacts not considered in the original environmental document. This assumes that some of the environmental impacts of the modified Project are considered in the original environmental document, such that the original document retains relevance to the decision-making process. If it is wholly, irrelevant, then it is only logical that the agency starts over from the beginning. The city has determined that Project changes will not require major revisions to the initial environmental document. Accordingly, recirculation of the MND for public review is not necessary pursuant to Section 15164 of the CEQA Guidelines. Therefore, a decision was made by the City of Desert Hot Springs not to prepare a subsequent Negative Declaration pursuant to Section 15162 of the CEQA Guidelines. To support this decision, the following analysis describes the proposed Project modifications and the associated environmental analysis.

Based on the above, an Addendum is appropriate as none of the conditions calling for preparation of an EIR or subsequent MND have occurred (CEQA Guidelines, Section 15164).

### **3.0 ORIGINAL PROJECT SUMMARY**

The original Project proposed the development of a two-story building for the indoor cultivation and processing of marijuana and associated improvements on a 1.25 gross-acre site in accordance with Desert Hot Springs Municipal Code 5.50 and 7.180.78. At buildout, the facility will have an approximate total building area of 33,214 sf.

The proposed cultivation facility consists of a two-story building that will be designed in the style of contemporary desert architecture. The overall architectural character will be that of an attractive, well-maintained industrial building. The site perimeter will be enclosed with wrought-iron or tubular steel fencing to secure the perimeter and only allow access to employees.

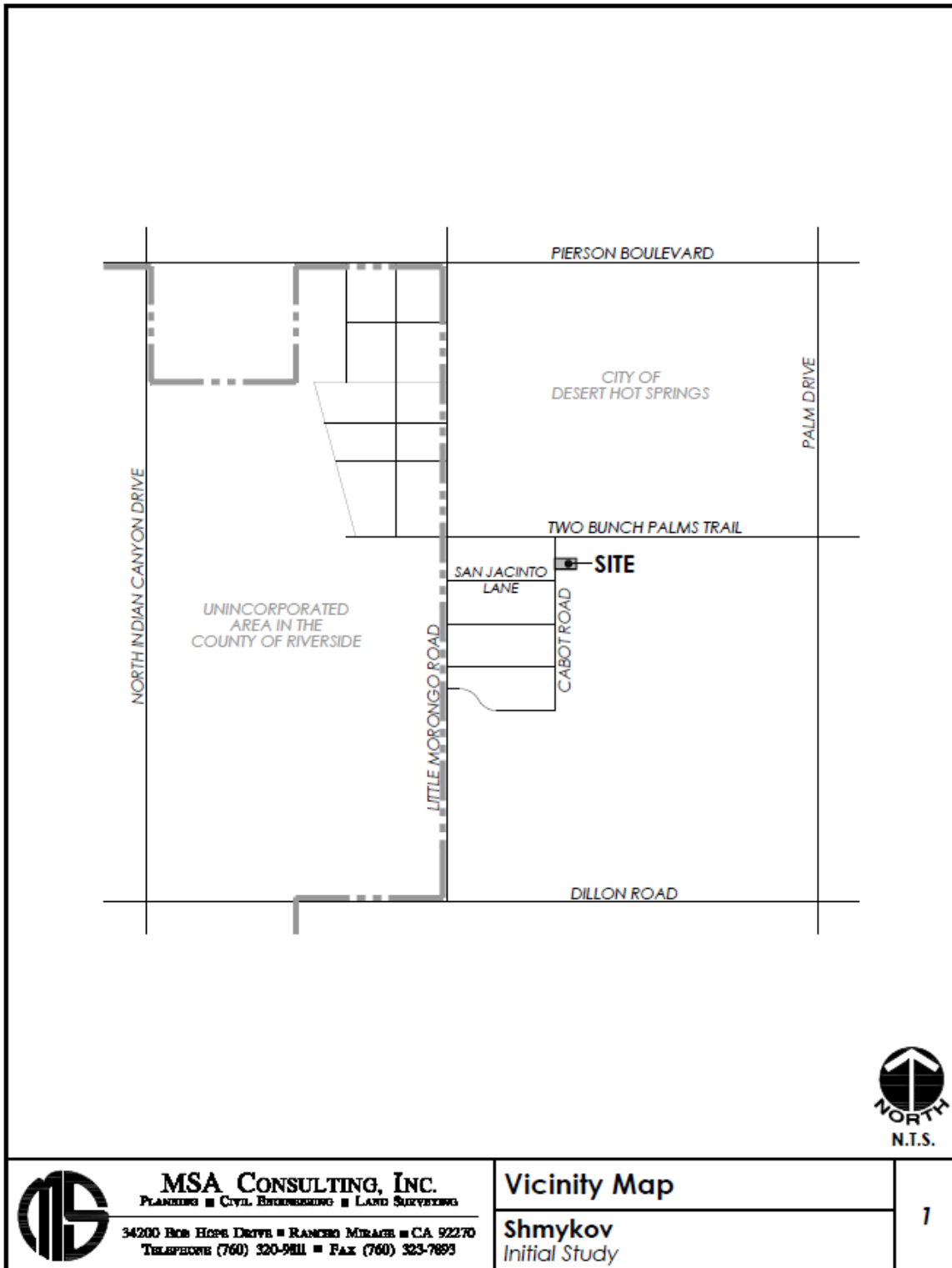
Landscaping has been designed to balance aesthetic, water use, and security objectives. The landscaping features along the Project boundaries and around the building includes low level plantings and drought-tolerant ground cover plants as approved by the City of Desert Hot Springs. They will be consistent with surrounding and natural desert features, including large drought-tolerant flowering trees and shrubs typically found in the region. Along with the Project landscaping, wrought iron or tubular steel fencing will visually enhance, protect, and blend the cultivation and processing facility into its surroundings while also promoting visibility by law enforcement vehicles from the street.

Individual operations would be similar to that of a standard wholesale nursery without onsite sales. There will be no general public access to the facility at any time. When fully staffed, the facility will have approximately 20 employees that will work within the City's allowed operational hours.

All processing activities will take place within the interiors of the proposed building including propagation, curing, processing, potting, transplanting, and shipping. The finished product will be packaged and loaded onto delivery trucks within secured, enclosed areas of the building.

In addition to this Environmental Initial Study, the Project's entitlements also include a Conditional Use Permit (Municipal Code 17.180.090). Approval of these entitlements will render the Project in full compliance with City regulations. Moreover, all marijuana cultivation and processing operations and any related activities, such as transportation, manufacturing, and testing, are required to comply with all relevant State laws.

The location of the Project site, initial renderings, and previous Project site plan are shown below in Exhibit 1, 2, and 3.



**MSA CONSULTING, INC.**  
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Vicinity Map**  
**Shmykov**  
Initial Study

1

Exhibit 1

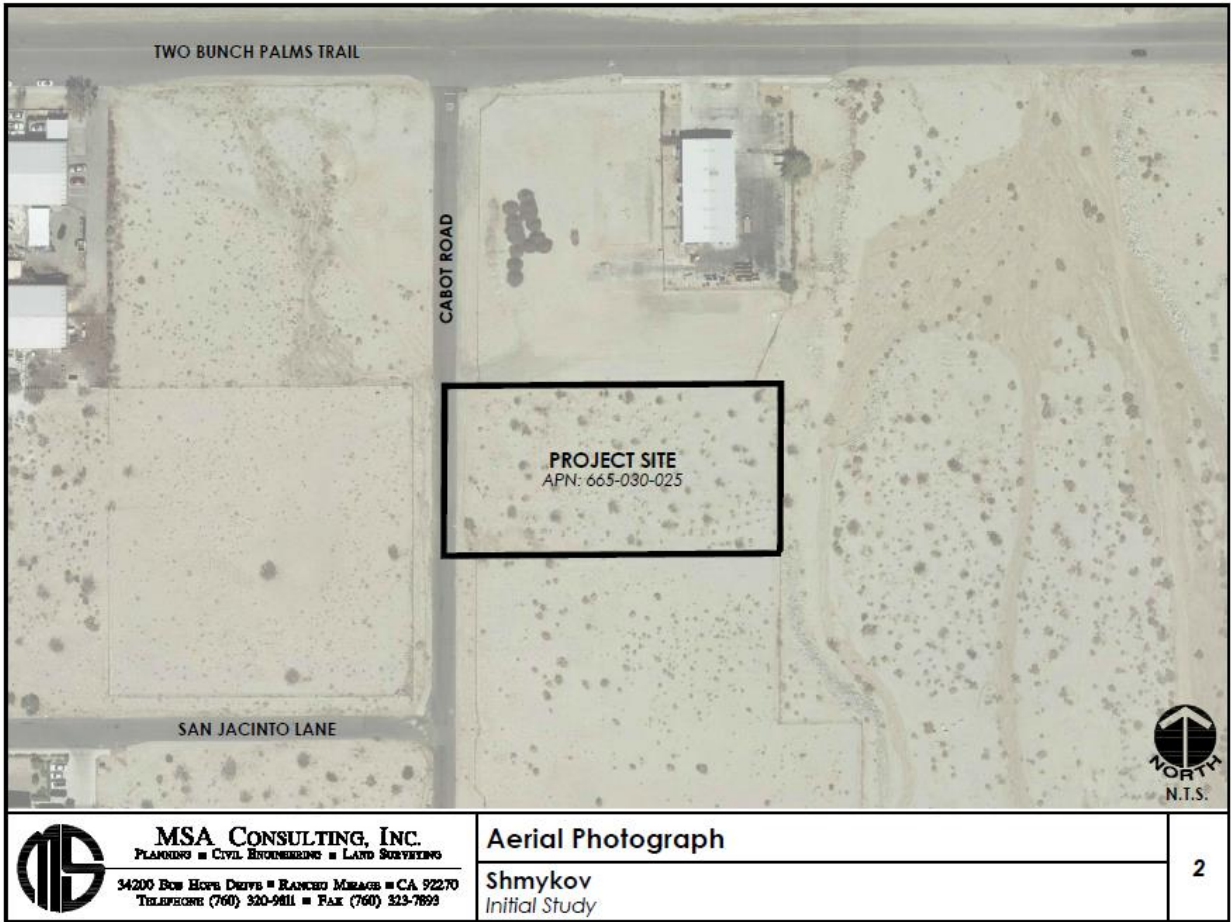
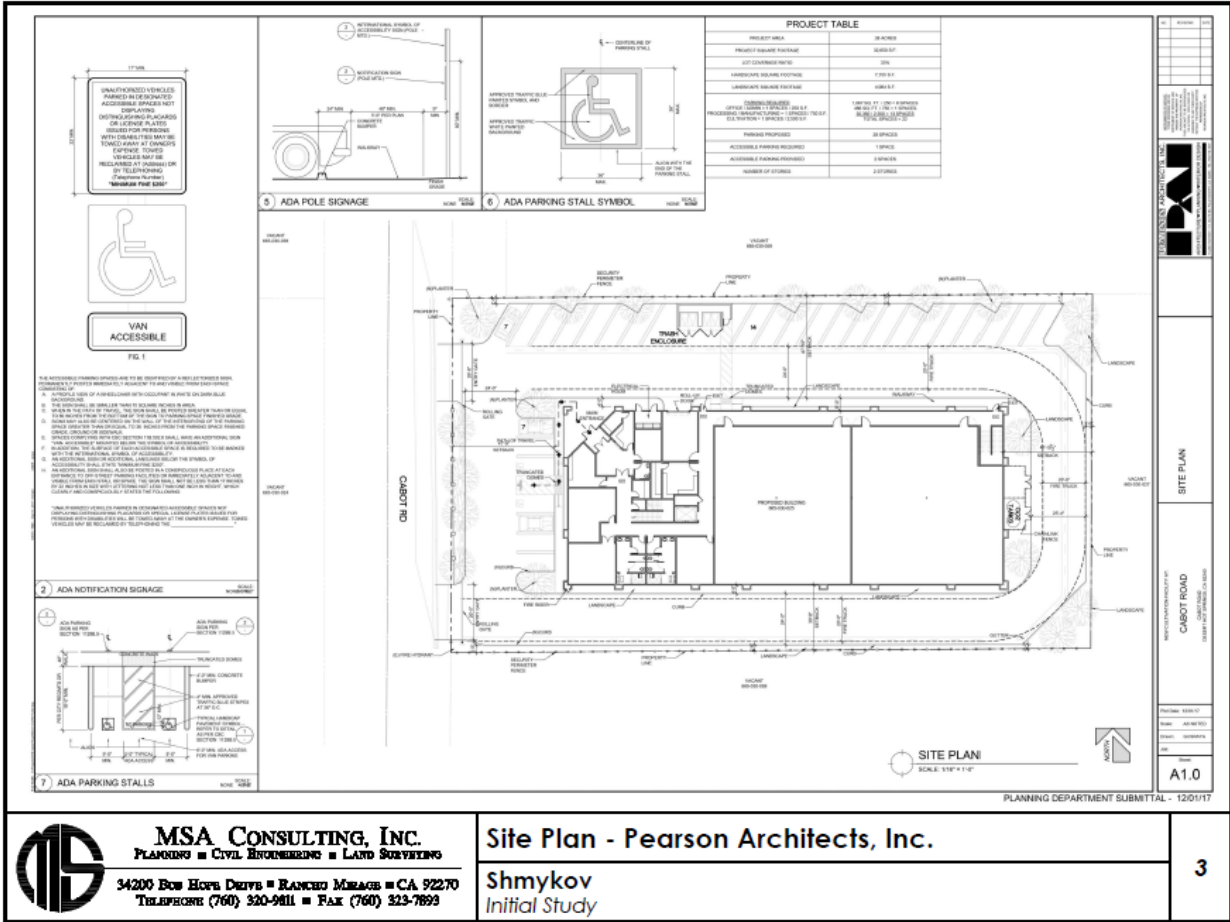


Exhibit 2





**MSA CONSULTING, INC.**  
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Site Plan - Pearson Architects, Inc.  
 Shmykov  
 Initial Study

3

Exhibit 3

## 4.0 PROJECT REVISIONS

The Cabot Management LLC Project is adding an amendment as part of the addition of an additional license type and associated “activity.”

The revised Project incorporates one (1) change:

- An added “Use” of cannabis distribution within the existing facility.

As previously stated, the Cabot Management LLC IS/MND analyzed impacts associated with the proposed development of a two-story building totaling approximately 33,214 square feet (sf) and associated improvements. The revised Project proposes only to add an additional “Use” within the already existing 33,214 square feet (sf) building, no expansion or additional square footage is proposed. The added “Use” is specifically cannabis distribution. The revised Project, when fully staffed, will have approximately 24 employees that will work within the allowed operational hours.

Proposed circulation and parking will be consistent with City parking standards. Off-Street parking standards for Marijuana Cultivation and processing uses are not specifically defined in the City Zoning Code. Therefore, City staff has applied parking ratios for similar uses including office (1 space per 250 square feet), processing (1 space per 750 square feet) and plant nurseries (1 space per 2,500 square feet are utilized), resulting in a requirement of 22 total parking spaces. The Project proposes to provide 28 parking spaces, two (2) of which are designated as ADA parking stalls. The 28 parking stalls will be aligned on the northern boundary and the west side of the property. Ingress and egress to the site will be provided from two rolling gates on Cabot Road. Controlled access keyed entry system such as a Knox box will be available for emergency access by use of police and fire personnel. The interim Project will have gated access on Cabot Road.

The revised Project does not propose any additional square footage or ground disturbance. The site encompasses 1.25-acres and is in accordance with Desert Hot Springs Municipal Code 17.180. The facility will contain space for office use, cannabis cultivation, processing, and distribution.

Cultivation activities would include growing cannabis (vegetation, flowering) and drying, trimming, and packaging dried cannabis flower and other cannabis biomass. Cultivation activities take place indoors.

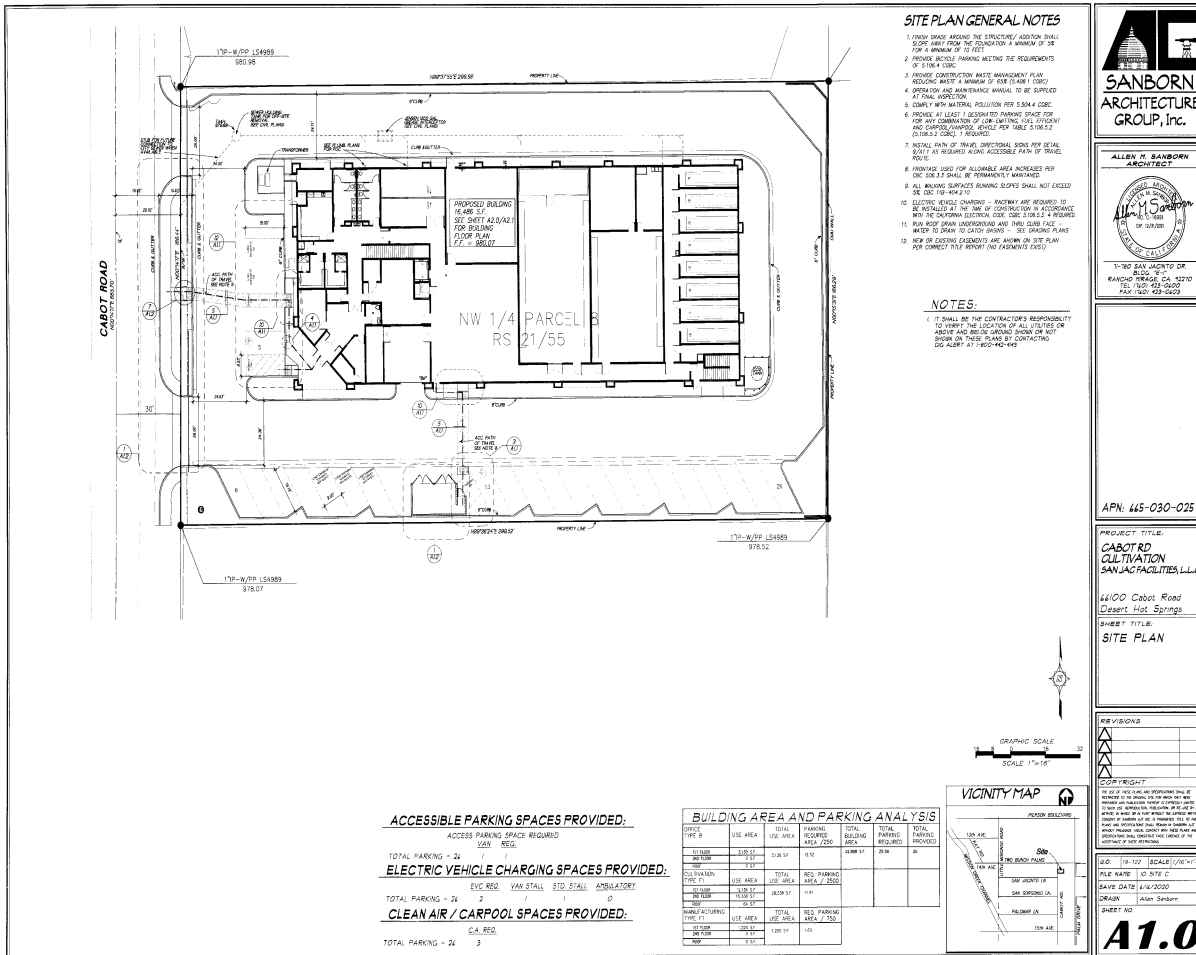
Distribution activities would include the transportation of cannabis goods to licensees, arranging for testing of cannabis goods, and conducting the quality assurance review of cannabis goods to ensure compliance with all packaging and labeling requirements. The added cannabis distribution activities within the existing facility will create no additional increase of square footage.

As required by CEQA, this Addendum analyzes the whole of the action, to the extent that information is available for the specific Project.

The impact analysis contained herein will focus on whether the revised Project would result in any new or severe impacts not previously identified in the adopted Cabot Management LLC IS/MND.

The updated IS/MND analyzed the environmental impacts of the intended operation of the added “Uses” within the facility, including potential impacts to resources including water supply, air quality, and utilities resulting from the additional commercial cannabis business activities.

The proposed updated floor plan is shown below, in Exhibit 4 – 9.



**SITE PLAN GENERAL NOTES**

1. FINISH GRADE AROUND THE STRUCTURE ADDITION SHALL BE 2 FEET ABOVE THE FINISH FLOOR FINISH GRADE FOR A MINIMUM OF 10 FEET.
2. PROVIDE ACCESSIBLE PARKING SPACES PER THE REQUIREMENTS OF 5108.4 CURE.
3. PROVIDE CONSTRUCTION WASTE MANAGEMENT PLAN INCLUDING WASTE A MINIMUM OF 100 YD (1000) AT FINAL INSPECTION.
4. EROSION AND MAINTENANCE CHANNELS TO BE SURFACED AT FINAL INSPECTION.
5. COVER NEW MATERIAL EXHOSURE PER 5108.4 CURE.
6. PROVIDE AT LEAST 1 DESIGNATED PARKING SPACE FOR THE USE OF VEHICLES WITH HANDICAP ACCESSIBILITY AND CARPOOL SPACES PER TABLE 3108.2.2 (3108.2 CURE) IS REQUIRED.
7. TOTAL PAIR OF TRAILER, DIRECTIONAL SIGNS PER DETAIL 3108.2.2 SHALL BE PERMANENTLY MARKED.
8. SIGNAGE USED FOR ALLOWABLE AREA INCREASES PER 3108.2.2 SHALL BE PERMANENTLY MARKED.
9. ALL EXISTING SURFACE DRAINAGE SLOPES SHALL NOT EXCEED 5% (5:1) UNLESS OTHERWISE NOTED.
10. EXISTING EROSION CONTROL - FACTORY AND REQUIRED TO BE REINSTALLED AT THE TIME OF CONSTRUCTION IN ACCORDANCE WITH THE CURRENT EROSION CODE (3108.4 CURE).
11. RUN AND DRAIN UNDERDRAIN AND TRUCK DRAIN FACE MUST BE DRAIN TO EXISTING ROAD - SEE DRAINAGE PLAN.
12. NEW OR EXISTING EROSION CONTROL ON SITE PLAN FOR CONCEPT PLAN REVIEW (NO PERMITS REQUIRED).

**NOTES**

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES OR ABOVE-GROUND STRUCTURES OR NOT SHOWN ON THESE PLANS BY CONTACTING 800-461-7800-4610.



ALLEN R. SANBORN  
 ARCHITECT



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APN: 445-030-025

PROJECT TITLE:  
**CABOT RD  
 CULTIVATION  
 SAN-ACTACTILITES, LLC**  
 4400 Cabot Road  
 Desert Hot Springs

SHEET TITLE:  
**SITE PLAN**

REVISIONS

NO.	DATE	DESCRIPTION

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DATE: 07/10/23 SCALE: 1/8"=1'-0"  
 FILE NAME: 107-1516-02  
 SAVE DATE: 4/16/2020  
 DRAWN: Allen Sanborn  
 SHEET NO:

**A1.0**

**ACCESSIBLE PARKING SPACES PROVIDED:**  
 ACCESS PARKING SPACE REQUIRED  
 VAN: 1  
 REG: 1

**ELECTRIC VEHICLE CHARGING SPACES PROVIDED:**  
 EVC REG: 2  
 VAN STALL: 1  
 STD. STALL: 1  
 ANSULATORY: 0

**CLEAN AIR / CARPOOL SPACES PROVIDED:**  
 C.A. REQ: 3  
 TOTAL PARKING = 24

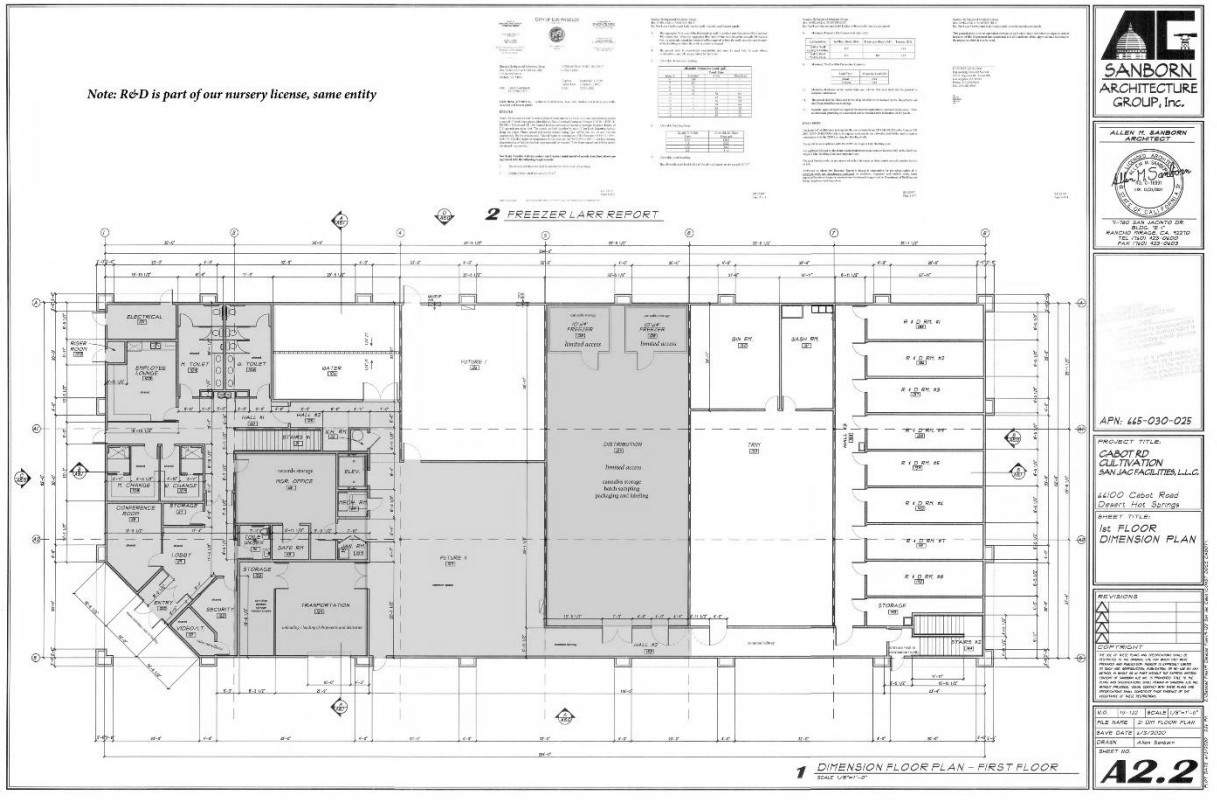
**BUILDING AREA AND PARKING ANALYSIS**

OBJECT TYPE	USE AREA	TOTAL USE AREA	PARKING REQUIRED AREA PER 200	TOTAL BUILDING AREA	TOTAL PARKING PROVIDED	NET PARKING PROVIDED
OFFICE	1,100	1,100	5.5	1,100	20	20
RETAIL	1,100	1,100	5.5	1,100	20	20
STORAGE	1,100	1,100	5.5	1,100	20	20
TRUCK	1,100	1,100	5.5	1,100	20	20
TOTAL	4,400	4,400	22	4,400	80	80

**VICINITY MAP**



**Exhibit 4**



**Exhibit 5**

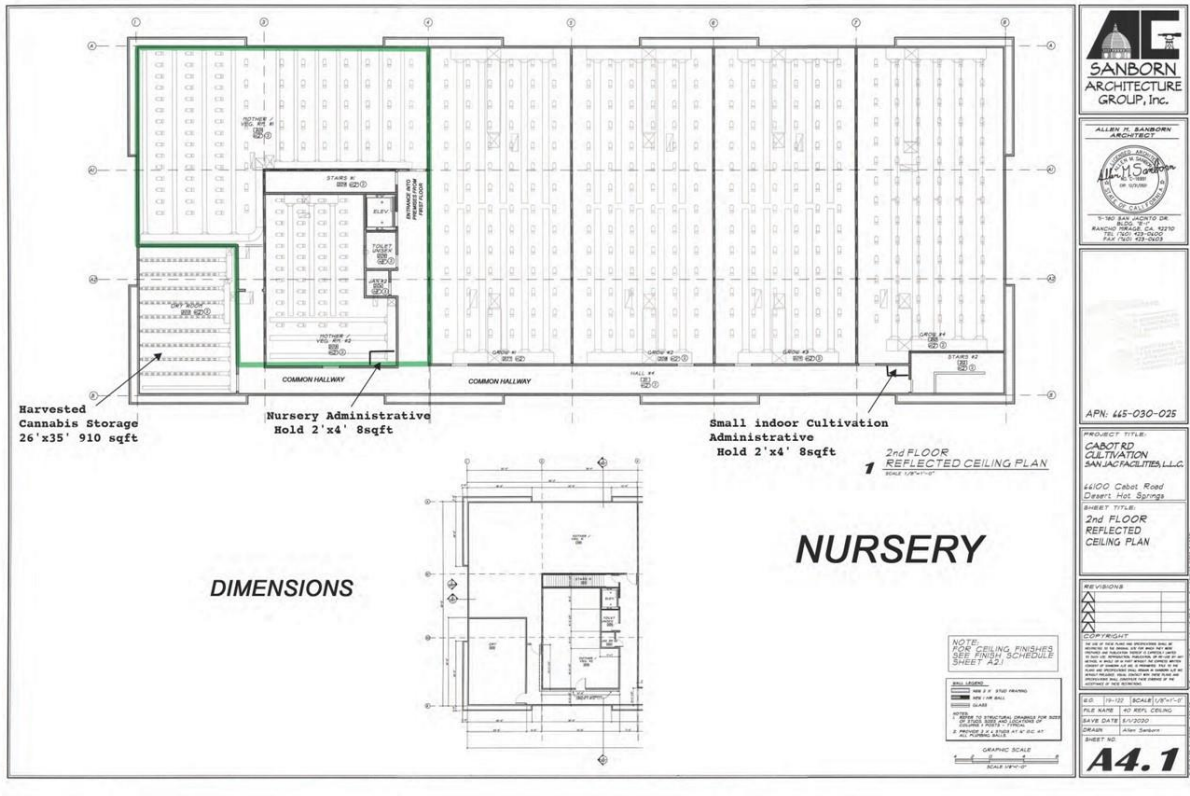


Exhibit 6

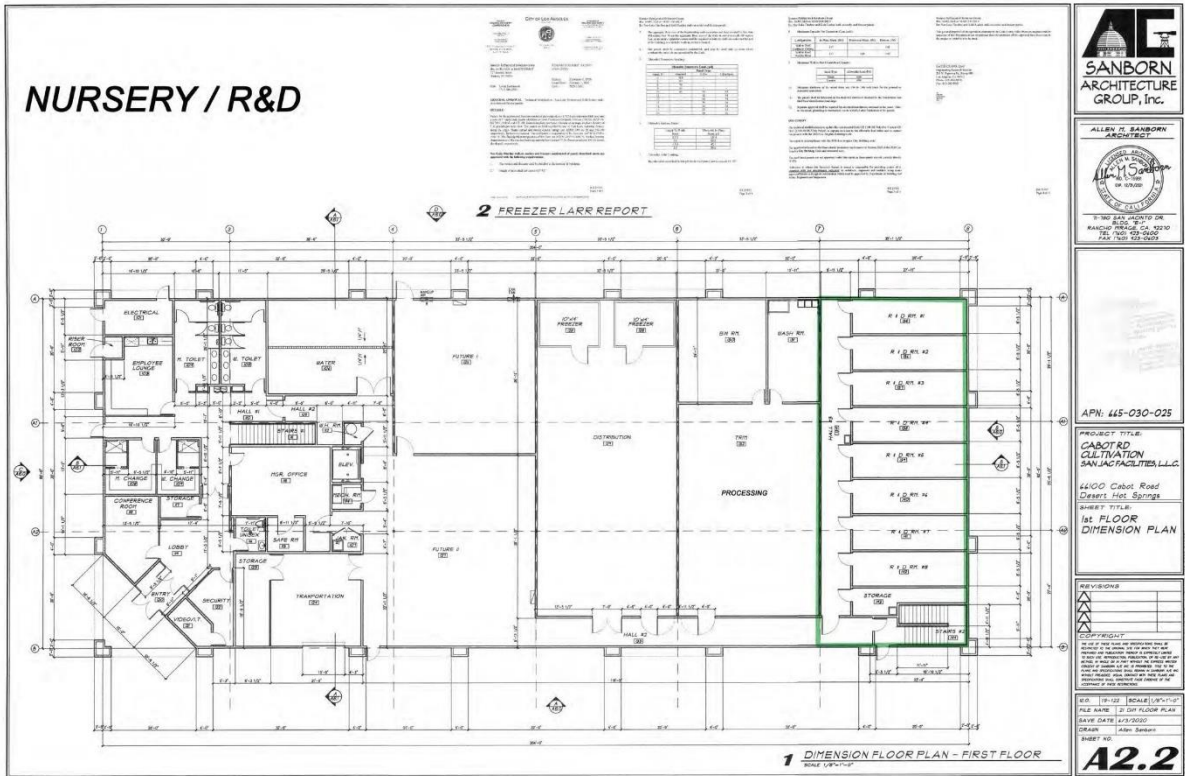
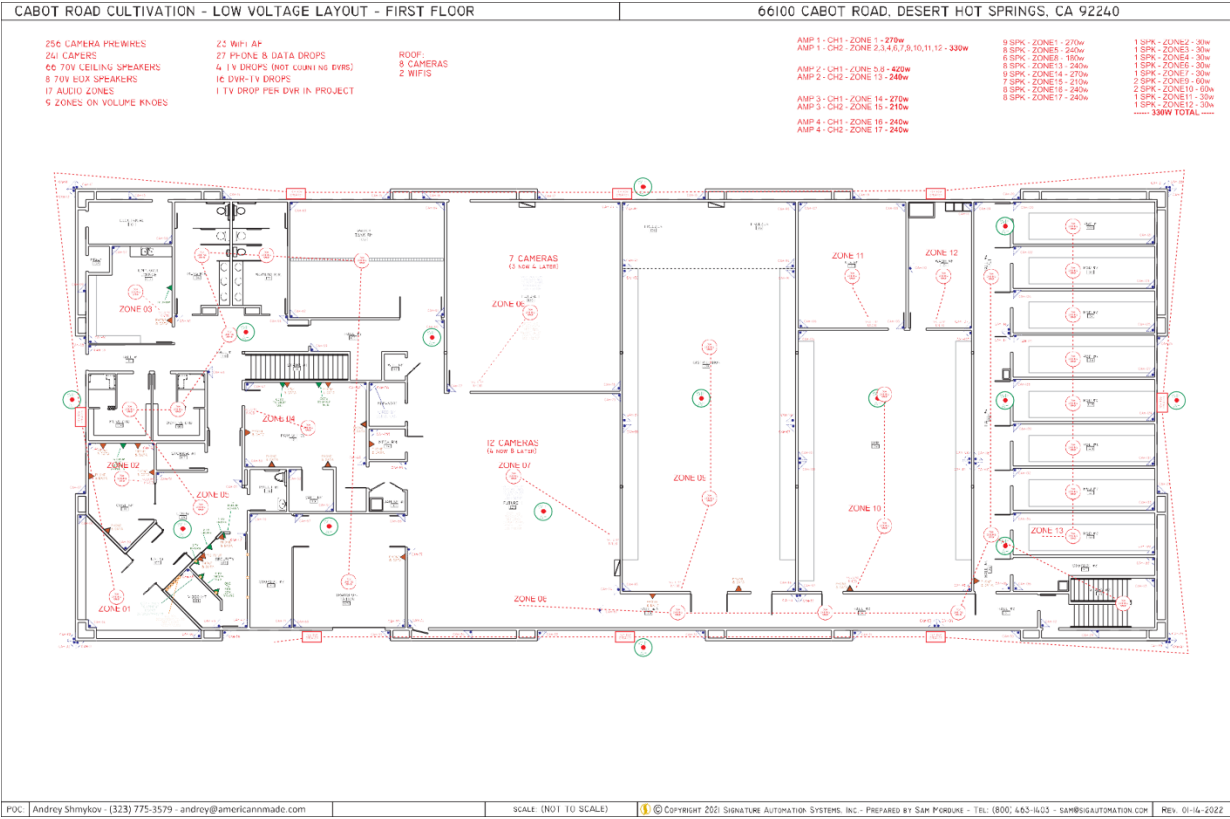
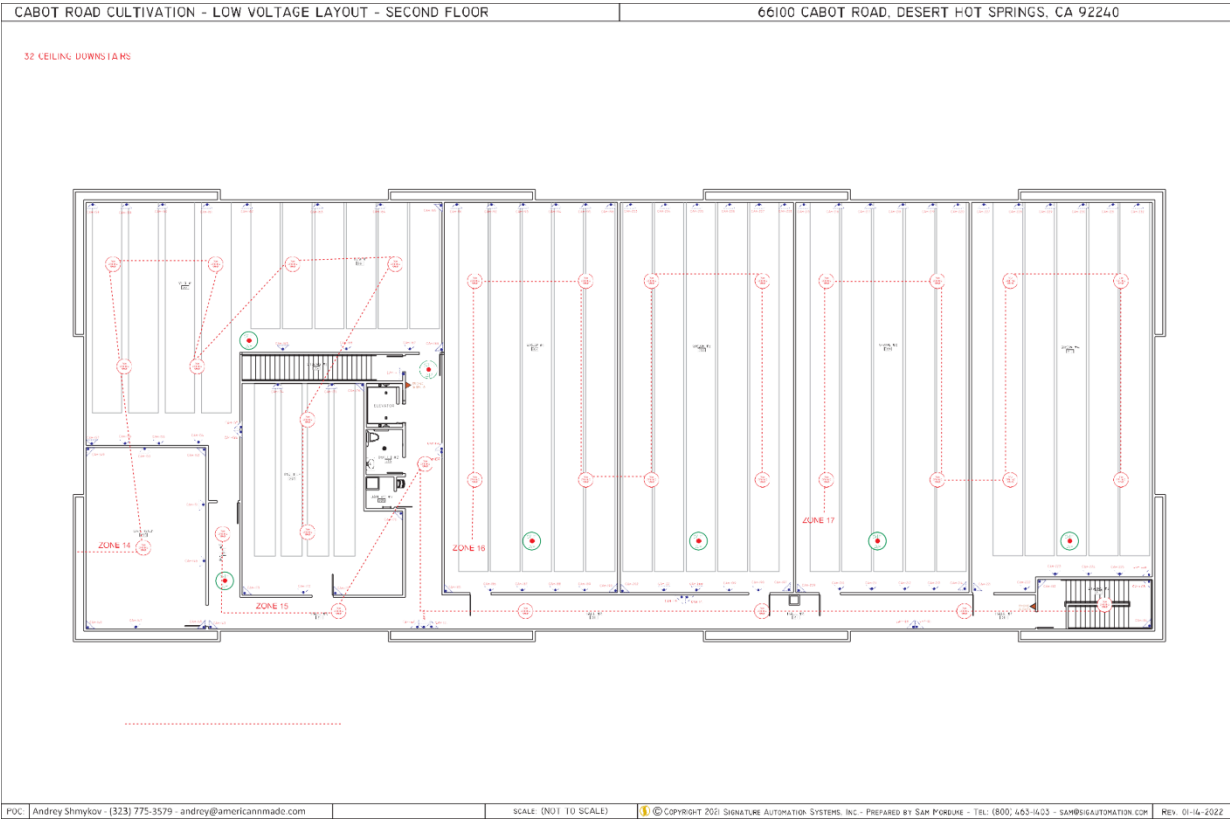


Exhibit 7



**Exhibit 8**





**Exhibit 9**

## 5.0 ENVIRONMENTAL SETTING

The proposed cultivation, processing, and distribution facility consists of a two-story building that will be designed in the style of contemporary desert architecture. The overall architectural character will be that of an attractive, well-maintained industrial building. The site perimeter will be enclosed with wrought-iron or tubular steel fencing to secure the perimeter and only allow access to employees.

Landscaping has been designed to balance aesthetic, water use and security objectives. The landscaping features along the Project boundaries and around the building includes low level plantings and drought-tolerant ground cover plants as approved by the City of Desert Hot Springs. They will be consistent with surrounding and natural desert features, including large drought-tolerant flowering trees and shrubs typically found in the region. Along with the Project landscaping, wrought iron or tubular steel fencing will visually enhance, protect and blend the cultivation and processing facility into its surroundings while also promoting visibility by law enforcement vehicles from the street.

The Project involves approximately 1.25 acres of undeveloped land located east of Cabot Road, 300 feet south of Two Bunch Palms Trail. The rectangular-shaped property occurs in the context of a partially developed Light Industrial (I-L) land use district established within the City. As such, the Project, and its surrounding properties to the north, east, south and west (within the City boundaries), are intended by land use and zoning designation to support business parks and the development of industrial facilities operating in enclosed buildings at the required setbacks. The property south of the proposed site is currently vacant private land surrounded by a fence chain link fence. On the west side of the Project, and Cabot Road, is disturbed vacant land with scattered vegetation. The Big Morongo Wash borders the east side of the Project and is also currently vacant. The parcel to the north is occupied by an industrial facility. This facility is separated from the Project boundary by approximately 100 feet of open space and chain link fencing. Marijuana facilities are permitted within light industrial districts of the City but are subject to additional development and operational restrictions pursuant to Desert Hot Springs Municipal Code Chapters 5.50 and 17.180.

## 6.0 ENVIRONMENTAL IMPACT ANALYSIS

This document is an addendum to the previously adopted San Jac Facilities, LLC MND referenced above. This addendum provides the project specific environmental review pursuant to CEQA demonstrating the adequacy of the MND relative to the revised project. The analysis below discusses the adequacy and applicability of previous mitigation measures to the revised project. In addition, the analysis below addresses whether any new or more severe impacts would result from the project revisions and whether any additional mitigation measures beyond those previously identified in the MND would be required.

The environmental resources and potential environmental impacts related to the new project information are described in the subsections below.

Each subsection describes the potential environmental impacts that may result from the project with updated information, change to the project, or change to the circumstances under which the project is undertaken. For each checklist question, a discussion is provided to document the analysis followed by a concluding determination (conclusion). The following determinations are used in the checklist:

- **“No Impact”** is used when the Applicant’s activities would not affect the particular environmental resource.
- **“Minor Technical Change or Addition to MND”** is used when the analysis determines that there is new information, a change to the project, or a change to the circumstances under which the project is undertaken, but there would be no new significant environmental effects or substantial increase in the severity of previously identified significant effects. This determination may be appropriate when the Applicant’s activities relate to the particular environmental resource at issue but nothing about the Applicant’s activities would require major revisions of the previous MND. For example, a minor addition to the MND may be appropriate when an Applicant definitively proposes to use a type of outdoor lighting system that was already examined in the previous IS/MND and the use of the lighting system causes no new or substantially more severe significant impact than the impact already analyzed in the previous IS/MND. Another circumstance in which a minor technical change to an MND might be appropriate is when the project operator’s legal name has changed, and the agency simply wants to ensure the CEQA document reflects accurate, complete information.
- **“Substantial Project Change or Modification”** is used when the analysis determines substantial project changes are proposed that will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, regardless of whether those new or increased effects may be mitigated to a less-than-significant level. If this determination is made, an addendum would not be sufficient for CEQA compliance.

- **“Requires Subsequent or Supplemental MND or EIR”** is used when the analysis determines that new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows any of the following: -
  - The project will have one or more significant effects not discussed in the previous MND, regardless of whether those effects may be mitigated to a less-than-significant level;
  - Significant effects previously examined will be substantially more severe than identified in the previous MND, regardless of whether those effects may be mitigated to a less-than-significant level;
  - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives; or
  - Mitigation measures or alternatives that are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.
  - If this determination is made, an addendum would not be sufficient for CEQA compliance.

The following order of dialogue follows the environmental analysis categories currently included in CEQA Guidelines: Appendix G.

## I. *Aesthetics*

<b>Aesthetics</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Have a substantial adverse effect on a scenic vista?	X			
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	X			
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	X			
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	X			

### ***Discussion***

#### *Summary of Findings in the IS/MND (2017)*

As in the IS/MND, the revised Project involves approximately 1.25 acres of undeveloped land located east of Cabot Road, 300 feet south of Two Bunch Palms Trail. The rectangular-shaped property occurs in the context of a partially developed Light Industrial (I-L) land use district established within the City. As such, the Project, and its surrounding properties to the north, east, south and west (within the City boundaries), are intended by land use and zoning designation to support business parks and the development of industrial facilities operating in enclosed buildings at the required setbacks. The property south of the proposed site is currently vacant private land surrounded by a fence chain link fence. On the west side of the Project, and Cabot Road, is disturbed vacant land with scattered vegetation. The Big Morongo Wash borders the east side of the Project and is also currently vacant. The parcel to the north is occupied by an industrial facility. This facility is separated from the Project boundary by approximately 100 feet of open space and chain link fencing. Marijuana facilities are permitted within light industrial districts of the City but are subject to additional development and operational restrictions pursuant to Desert Hot Springs Municipal Code Chapters 5.50 and 17.180. The existing condition of the Property is vacant and predominantly flat with scattered vegetation coverage associated with the Sonoran creosote bush scrub community. The on-site terrain exhibits a natural gradual slope toward the southeast. Based

on past land surveys, the property shows little to no indication of clearing or land disturbance, unlike the surrounding parcels.

The vacant land, which has no aesthetic value, also displays a lack of salient topographic features or other visual landmarks on-site or on its general surroundings. Additionally, no historic buildings, structures, or other permanent improvements are known to formerly exist on-site, and no physical improvements, structures, natural topographic features, or other visual landmarks are currently observable on-site. Big Morongo Wash, to the east of the Project, also shows no indication of man-made clearing or grading. Unlike the Project site, the undeveloped parcels west and south of the Project display evidence of manmade alterations such as clearing and grading. These parcels currently remain vacant, with little vegetation. Bordering the west side of the Project boundary is Cabot Road, a partially paved roadway that lack curb-and-gutter improvements, street lighting and traffic signal facilities.

The revised Project property has distant and relatively unobstructed views of the San Jacinto and Santa Rosa Mountains to the southeast, south and southwest. Although there is an industrial facility to the north of the Project site, the views of the Little San Bernardino Mountains are not obstructed. The east, south and west side of the Property is vacant, thus not affecting the mountain visibility from the site. Overall, the Project site’s view of the surrounding mountain ranges is not obstructed.

In the context of the existing setting and land use designation, the proposed Project is not anticipated to adversely alter the existing view shed on any scenic vistas and less than significant impacts are expected.

**Conclusion – Revised Project (2023)**

There are no state scenic highways located near the proposed Project site. The proposed Project features would blend with the existing setting and are not anticipated to adversely alter the existing viewshed of any scenic vistas no mitigation measures are required. All Project updates take place within the existing, approved facility which does not contribute to any new or more severe impacts.

**II. Agricultural Resources**

<b>Agricultural and Forestry Resources</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and	X			

Monitoring Program (FMMP) of the California Resources Agency, to nonagricultural use?				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	X			
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	X			
d. Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	X			
e. Involve other changes in the existing environment that, because of their location or nature, could result in a conversion of Farmland to a nonagricultural use?	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

The revised Project will not disturb or convert any designated farmland or other form of agricultural resource. According to the 2014 California Farmland Mapping and Monitoring Program the property is designated as “Other.”

The subject site and surrounding land to the north, east, south and west are not categorized as Prime Farmland, Unique Farmland, or Farmland of local statewide importance, no impacts are expected.

The revised Project site is not located in an existing zone for agricultural use or classified as farm land and will occur in an existing urban desert setting zoned for industrial uses.

**Conclusion – Revised Project (2023)**

The proposed Project revisions will not result in any changes, disturbances or conversion of any farmland or forest land because no farmland or forest land is situated within or adjacent to the Project. No additional impacts are anticipated.

### III. Air Quality

Air Quality	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Conflict with or obstruct implementation of the applicable air quality plan?	X			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X			
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	X			
d. Expose sensitive receptors to substantial pollutant concentrations?	X			
e. Create objectionable odors affecting a substantial number of people?	X			

#### **Discussion**

##### Summary of Findings in the IS/MND (2017)

The proposed revised Project will not require a General Plan Amendment or other revision that would induce a direct or indirect increase in population growth above the level projected in the adopted 2016 AQMP. The proposed revised Project is a permitted use in the existing zone and is subject to the applicable development standards. Projects that are consistent with local General Plans are considered consistent with the air quality related plans and attainment efforts included



in the AQMP, the PM10 CVSIP and other relevant regional plans. Therefore, the Project will not interfere with the ability of the region to comply with federal and state ambient air quality standards.

The revised Project would not result in or cause violations to the National Ambient Air Quality Standards or California Ambient Air Quality Standards. The Project's proposed land use designation for the subject site does not materially affect the uses allowed or their development intensities as reflected in the adopted City General Plan.

#### Air Quality Plans

SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines, when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. In March of 2017, SCAQMD released the most current Final Air Quality Management Plan (2016 AQMP), which is a regional blueprint for achieving the federal air quality standards. The 2016 AQMP includes both stationary and mobile source strategies to ensure that the approaching attainment deadlines are met, and public health is protected to the maximum extent feasible. As with every AQMP, a comprehensive analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures is updated with the latest data and methods. Land use designation considerations are an important component of the AQMP development. The 2016 AQMP provides local guidance for the State Implementation Plans (SIP), which establishes the framework for the air quality basins to achieve attainment of the state and the National Ambient Air Quality Standards (NAAQS).

The Project will not require a General Plan Amendment or other revision that would induce a direct or indirect increase in population growth above the level projected in the adopted 2016 AQMP. The proposed Project is a permitted use in the existing zone and is subject to the applicable development standards. Projects that are consistent with local General Plans are considered consistent with the air quality related plans and attainment efforts included in the AQMP, the PM10 CVSIP and other relevant regional plans. Therefore, the Project will not interfere with the ability of the region to comply with federal and state ambient air quality standards.

The Project would not result in or cause violations to the National Ambient Air Quality Standards or California Ambient Air Quality Standards. The Project is therefore considered to be consistent with the AQMP and impacts related to air quality plans are expected to be less than significant.

#### Pollutants

The California Emissions Estimator Model (CalEEMod Version 2016.3.2; Released in September of 2016) was utilized to estimate the short-term construction-related emissions of criteria air pollutants and greenhouse gas emissions that would be associated with the construction activities necessary to implement the proposed Project.

The Project parameters involved a general light industrial facility with a total building area of up to 33,214 square feet and 12,119 square feet of proposed access roads, hardscape and parking lot surfaces on a net area of 1.04 acres. CalEEMod default construction parameters were accepted on construction activities for which site-specific information is not currently available.

Furthermore, CalEEMod was utilized to estimate the long-term operational air pollutant emissions that would result from implementation of the proposed Project. Operational emissions are ongoing emissions that will occur during the life of the proposed light industrial facility. They include area source emissions, emissions from energy demand, and mobile source (vehicle) emissions. As shown in Table III-3, the Project-related emissions of criteria pollutants are not projected to exceed any of the SCAQMD recommended significance threshold criteria for operational impacts. Consequently, the Project would not contribute substantially to a significant individual or cumulative impact on existing or projected exceedances of the state or federal ambient air quality standards or result in a cumulatively considerable net increase in the emissions of any criteria pollutant for which the Project region is designated nonattainment. The scale of the cultivation, administration, security, and storage uses represent approximately one-tenth of the building area associated with the proposed permanent facilities. As such, the interim operational emissions are not forecasted to exceed the established thresholds of significance. Less than significant impacts are anticipated.

**Table 1**  
**Short Term Air Pollutant Emissions**  
**Associated With Construction of the Proposed Project (Unmitigated)**

<b>(Pounds/Day)</b>		NOx	CO	SO2	PM10	PM2.5
ROG/VOC						
Total	18.0122	37.9117	25.1685	0.0413	46.1972	9.1482
Emissions	(Summer)	(Winter)	(Summer)	(Summer)	(Winter)	(Both)
SCAQMD	75	100	550	150	150	55
Threshold						
<b>Threshold Exceeded</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

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

**Table 2**  
**Long Term Operational Air Pollutant Emissions**  
**Associated With Development of the Project (Unmitigated)**

<b>(Pounds/Day)</b>	Emission Source	ROG/VO C	NOx	CO	SO2	PM10	PM2.5
Total Area Sources, Energy Use, Mobile Sources		1.7043	6.9593	11.3896	0.0334	1.8641	0.5407
		(Summer)	(Winter)	(Summer)	(Summer)	(Winter)	(Winter)
SCAQMD Threshold		75	100	550	150	150	55
<b>Threshold Exceeded</b>		<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

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

As demonstrated in tables 1 and 2, project-related short-term construction and long-term operational emissions are not expected to exceed the daily thresholds of significance established by SCAQMD for ozone precursors, such as NOx and ROG/VOC. By complying with the adopted thresholds, the proposed development is also complying with the overall attainment strategies reflected in the 2016 AQMP.

The neighboring conditions situated both downwind (east and south) and upwind (west and north) of the Project is considered Light Industrial. Bordering the west and east side of the Project is Cabot Road and Big Morongo Wash, respectively. An industrial facility is currently occupying the parcel north of the Project site. The building in the northern parcel is separated from the Project boundary by approximately 100 feet of vacant property and surrounded by chain link fencing. The parcel bordering the south side of the Project is currently vacant and also surrounded by chain link fencing. Similarly, the property west of the Project site is vacant and surrounded by chain link fencing. The west and south properties currently have scattered vegetation and show evidence of past clearing and grading. Residential uses lie approximately 2,000 feet to the northwest and the northeast of the Project site. This includes sparse single-family homes located west of Little Morongo Road, outside of the City's jurisdiction where the Riverside County General Plan Land Use designation is Medium Density Residential. The scattered residential homes northeast of the Project, however, are within the City's jurisdiction. These homes are designated as Low Density Residential, in the Desert Hot Springs Land Use Map. The revised Project is not expected to expose sensitive receptors to substantial pollutant concentrations.

### Objectionable Odors

Cultivation and processing operations involved with the proposed Project can generate natural odors associated with plant blossoms. As mandated by Municipal Code Chapter 5.50 and 17.180, all marijuana cultivation activities are only allowed in the interior of enclosed structures, facilities, and buildings. Cultivation and processing operations are not allowed to be visible from the exterior. To comply with the conditional use permit requirements, the Project operator must provide the necessary odor control, ventilation and filtration systems for the cultivation and office areas of the structures sufficient to ensure that City requirements for odor control are met. It is assumed that proper odor control, ventilation, and filtration systems, therefore maintaining the same level of odor control expected out of the permanent facilities.

The ventilation system may include activated carbon filtration, negative ion generation, ozone generators, and masking agents. These systems together would effectively control any objectionable odors produced in the facility interiors. As a result, the Project is expected to result in minimal exterior plant odors and is not identified on the SCAQMD list as common sources of odor emissions. No operation or activity on-site shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, odors, or other forms of air pollution, which exceed levels identified as acceptable by the SCAQMD or the City of Desert Hot Springs. Less than significant impacts related to objectionable odors are anticipated.

### **Conclusion – Revised Project (2023)**

Based on the IS/MND from 2017, there were no significant impacts regarding air quality, odor emission, or pollutants of the originally proposed Project.

The revised Project has been developed in accordance with all applicable air quality management plans. The added activities include (2)-(5) trips from (2) distribution vehicles per week, which would create a negligible amount of air pollution. The proposed amendment will not change the air emissions generated by build out or operations of the subject site significantly. The revised Project's implementation would not have any additional, adverse significant impacts other than those mentioned in the original IS/MND.

## **IV. Biological Resources**

<b>Biological Resources</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
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 CDFW or USFWS?	X			
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW or USFWS?	X			
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including marshes, vernal pools, and coastal wetlands) through direct removal, filling, hydrological interruption, or other means?	X			
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?	X			
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X			
f. Conflict with the provisions of an adopted habitat conservation plan (HCP); natural community conservation plan; or other approved local, regional, or state HCP?	X			

## **Discussion**

### **Summary of Findings in the IS/MND (2017)**

The Project is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The CVMSHCP sets conservation goals and objectives to ensure the conservation of the covered species and conserved natural communities in the MSHCP Reserve System. In addition to setting Conservation goal and objectives, the MSHCP has designated covered habitat, other conserved habitat and biological corridors and linkages. The CVMSHCP area is divided into conservation areas based on a combination of ecological and jurisdictional factors. The Project site is located within the CVMSHCP fee area, thus will have to pay a mitigation fee for funding the preservation of natural ecosystems in accordance with the CVMSHCP.

In November 2017, Jericho Systems Incorporated conducted a *Project-Specific Burrowing Owl Habitat Suitability Assessment*. The assessment area covered the Project site, with an extension of 500 yards beyond the Project boundaries. The assessment covered the 1.25-acre site and used both literature reviews and field investigations to conclude that the Project site is not a suitable habitat for the burrowing owl. Because the Project site is currently not suitable to support burrowing owls and this species is considered absent from the Project, Jericho concludes that no protocol-level presence/absence surveys will be required.

The elevation of the Project site is approximately 980 feet above mean sea level, and there is no natural significant topographical relief. The environment of the Project site is included as part of the desert scrub habitat of the valley floor as described in the CVMSHCP. There are no naturally occurring springs or permanent aquatic habitats in or near the Project site. A portion of the adjacent wash touches the undeveloped area of the property but there are no botanical indicators of a wash within the Project site boundaries.

The study's findings conclude that no significant adverse impacts to biological resources in the region are expected to result from Project implementation following implementation of mitigation. Therefore, the Project would not have a substantial adverse impact on candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

### **Conclusion – Revised Project (2023)**

The originally proposed Project includes numerous mitigation measures to keep any biological resource impacts “less than significant.” Many of the mitigation measures are related to wildlife in the area, with fees being paid to the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) to offset any potential significant impacts. After the *Project-Specific Burrowing Owl Habitat Suitability Assessment* was performed, it was concluded that no Burrowing Owl populations would be impacted.

The revised Project's implementation would not have any additional, adverse significant impacts other than those mentioned in the original IS/MND.

## **V. Cultural Resources**

<b>Cultural Resources</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X			
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5?	X			
c. Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074	X			
d. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	X			
e. Disturb any human remains, including those interred outside of formal cemeteries?	X			

### ***Discussion***

#### ***Summary of Findings in the IS/MND (2017)***

The overall summary of the research results found by CRM Tech concluded that there are no historical resources, as defined in Section 15064.5 of the CEQA Guidelines, were encountered throughout the course of this study. This includes any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant. Therefore, CRM Tech declared that the Project, as currently proposed, will not cause a substantial adverse change to any known historical resources.

With the historical review, Native American input and the field survey results, CRM Tech concludes that no further cultural resources investigation is necessary for the proposed Project unless construction plans undergo such changes as to include areas not covered by this study. They also recommend that if buried cultural materials are discovered during any earth-moving operations associated with the Project, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. Per the Riverside County Land Information System, the property is recognized for having low potential for Paleontological Sensitivity.

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

**Conclusion – Revised Project (2023)**

The revised Project would not require construction beyond what was anticipated in the original MND within the Project site. The overall square footage of the building is not proposed to change, no additional grading beyond what has already been completed in the MND has occurred. Similar to the MND, the revised Project would result in no impacts to historic resources, as defined in Section 15064.5 of the CEQA Guidelines. This includes any object, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

**VI. Energy**

<b>Energy</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
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a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	X			
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency??	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

The original Project IS/MND did not have any data pertaining to “Energy,” therefore, no summary of findings could be completed.

**Conclusion – Revised Project (2023)**

It was confirmed that power for the existing buildings is being sourced from a from the electrical grid and that impacts related to energy use would be less than significant, including all activities from the revised distribution “Use.”

The revised Project would be obligated to abide by the California Energy Code's (Title 24) requirements for energy saving, which are applicable to many buildings throughout the state. These conditions would guarantee that any environmental effects from energy waste, inefficiency, or excessive use would be minimal and that the revised Project wouldn't interfere with state or local plans for energy efficiency and renewable energy sources. As a result, the changes to the Project would not cause a new significant impact or substantial increase in the severity of a previously identified significant impact that would require major revisions to the original IS/MND.



## **VII. Geology and Soils**

<b>Geology and Soils</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	X			
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.	X			
ii. Strong seismic ground shaking?	X			
iii. Seismic-related ground failure, including liquefaction?	X			
iv. Landslides?	X			
b. Result in substantial soil				

erosion or the loss of topsoil?	X			
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 an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	X			
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	X			
e. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

Per the General Plan EIR, no known active faults traverse at or near the Project site. The General Plan EIR EXHIBIT V-1: Faults in the Desert Hot Springs General Plan Area, indicate that the nearest Alquist-Priolo Fault Zone is located approximately 1.50 miles to the northeast and labeled the Mission Creek Fault. Alquist-Priolo Maps are corroborated by the Riverside County Seismic Faults and Fault Zones database and by the Desert Hot Springs EIR Map. The nearest seismic feature to the Project site is the Coachella Valley Segment of the San Andreas Fault Zone. This southeast trending zone (presumably the Zone also mapped in Alquist-Priolo maps) is located approximately 1.50 miles northeast of the site. Surface rupture occurs when movement on a fault deep within the earth breaks through to the surface. The GP EIR indicates that fault ruptures usually follow preexisting faults, which are zones of weakness.

The Project site does not lie within an Alquist-Priolo Earthquake Fault Zone. Surface fault rupture is considered to be unlikely at the Project site because of the well-delineated fault lines through the Coachella Valley as shown on California Department of Mines and Geology (CDMG) maps.

The proposed facility will be constructed in a manner that reduces the risk of seismic hazards (Title 24, California Code of Regulations). The Project will be conditioned to comply with the most current seismic design coefficients and ground motion parameters and all applicable provisions of the California Building Code (CBC). Remedial grading and construction will work to reduce exposure of people or structures to adverse effects to the greatest extent possible against seismic hazards. All grading and construction plans will be reviewed and approved by the City of Desert Hot Springs.

Through the development review process of the proposed structure, a site-by-site analysis is required to assess building design and check that proposed structures meet existing regulations or applicable codes. With this and deep groundwater levels, the less than significant impacts regarding liquefaction are expected.

Hazards of landsliding is unlikely due to the relatively flat topography of the property. Based on the current flat topography of the site and its vicinity, risks associated with slope instability should be considered low.

Relative to waterborne erosion, the entire Project and its immediate surroundings are located within the FEMA Flood Zone AO and is identified as being subject to inundation by the 1-percent-annual-chance storm with shallow flooding (usually sheet flow in sloping terrain) at an average depth of three (3) feet and a velocity of nine (9) feet per second, for areas of alluvial fan flooding. The Morongo Wash Corridor lies east of the proposed Project; therefore, the Project site shall implement Best Management Practices in order to avoid flooding of the site.

The Proposed Site Plan indicates that offsite run-on to the site is collected and conveyed through or around the proposed Project site, and continues along the existing flow direction, without increasing the runoff, or impacting any of the adjacent properties. The worst-case scenario increase of the pre- and post-construction runoff would be adequately contained in the surface retention system. All onsite 100- year peak discharges would drain into one retention basin via surface and piped flows. Proposed construction would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth.

### ***Conclusion – Revised Project (2023)***

The revised Project would not require any grading or construction beyond what has already been completed in the MND within the Project site. The overall square footage of the building is not proposed to change, no additional construction or grading beyond what was accounted for in the MND would occur. As such, no new or more impacts related to geology and soils would occur. As discussed in the MND, compliance with the most current State building codes and regulations would ensure grading and construction of the site reduces the impacts associated with geology and soils to less than significant, as concluded in the MND.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

## **VIII. Greenhouse Gas Emissions**

<b>Greenhouse Gas Emissions</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	X			
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	X			

### ***Discussion***

#### ***Summary of Findings in the IS/MND (2017)***

In response to growing concern for long-term adverse impacts associated with global climate change, California’s Global Warming Solutions Act of 2006 (AB 32) requires California Air Resource Board (CARB) to reduce statewide emissions of greenhouse gases to 1990 levels by 2020. In 2016, Governor Jerry Brown signed Senate Bill 32 (SB32) that requires California to reduce GHG emissions to 40 percent below 1990 levels by 2030. Additionally, in 2013, the City of Desert Hot Springs adopted their Climate Action Plan (CAP) that includes policies applicable to new development for the reduction of GHGs.

However, there is currently no statewide adopted threshold for GHG emissions. The SCAQMD has adopted a screening threshold of 3,000 MTCO<sub>2e</sub> per year for stationary source emissions for small land use projects and 10,000 MTCO<sub>2e</sub> for industrial facilities. These GHG emissions would occur as a result of Project-related area sources, energy usage, mobile sources, solid waste disposal, water usage, and wastewater treatment.

The proposed cultivation and processing facility will add a new land use, and as a result, an increase in greenhouse gas emissions is expected. The Project will operate under the mandatory regulations found in the most recent Cal Green Building Standards Code for non-residential uses.

According to the CALGreen guidance, these regulations promote activities such as the use of bicycles and clean air vehicles as alternative means of transportation in alignment with California’s aggressive efforts to reduce greenhouse gas emissions.

The construction related and operational emissions of CO2 equivalent are less than the SCAQMD interim threshold of 10,000 MT/year for industrial facilities. Therefore, less than significant impacts are expected.

**Conclusion – Revised Project (2023)**

The added “distribution” activities will only result in a minor increase of greenhouse gas emissions, due to the amount of traffic entering and exiting the facility. An uptick in traffic is attributed to additional staff, deliveries, and product transportation. These additional factors would not cause any new significant impacts to greenhouse gas emissions.

The additional “Uses” and revisions to the Project would not cause a new significant impact. There would be no substantial change in the significance of previously identified GHG impacts described in the IS/MND.

Because impacts to air quality/greenhouse gases during the operation of the revised Project would be less than significant, no further mitigation or changes are required.

**IX. Hazards and Hazardous Materials**

<b>Hazards and Hazardous Materials</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X			
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?	X			
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X			
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	X			
e. Be located within an airport land use plan area or, where such a plan has not been adopted, be within 2 miles of a public airport or public use airport and result in a safety hazard for people residing or working in the study area?	X			

f. Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the study area?	X			
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	X			
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	X			

***Discussion***

***Summary of Findings in the IS/MND (2017)***

The Project site is approximately 1.25 acres of vacant desert land and proposes to construct a two-story marijuana facility, specifically for the use of cultivation and processing. The Project will not involve the use or storage of hazardous materials other than organic certified fertilizers and California approved natural pesticides and fungicides. These materials will be stored and applied according to manufacturer’s instructions to mitigate the potential for incidental release of hazardous materials or explosive reactions.

The proposed marijuana cultivation and processing operations are not expected to involve the routine transport, use or disposal of hazardous materials in quantities or conditions that would pose a hazard to public health and safety or the environment. Less than significant impacts related to the routine transport, use or disposal of hazardous materials are expected.

Toxic cleaning compounds, sanitizing agents, solvents, and potentially flammable materials may also be involved within the proposed facilities. The use of these products would also be subject to the manufacturer's specifications, as well as local, state, and federal regulations that would help protect against accidental release, explosive reactions, injury, and contamination.

The Project operator would be required to provide the proper storage facilities and containers designed to protect and isolate these substances, therefore minimizing the threat to the public or the environment. Facility employees shall be trained on safety rules to prevent personal or public risk. Solid waste produced by the Project will be stored in a designated staging area with enclosures and less than significant impacts are expected.

The Project site is not located within one-quarter mile of an existing or proposed school.

The Project is not located near an existing private airport, public airport or airport land use plan. The nearest airport facility to the Project is the Palm Springs International Airport, located approximately 7.25 miles to the south.

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

### ***Conclusion – Revised Project (2023)***

Although additional "Uses" were added to the Project since the original IS/MND, the revised Project operations would be conducted with all hazardous material safety, security, storage, and disposal practices in compliance with industry, manufacturer, State, and Federal standards. All of the same regulatory framework would apply, and the revised Project would not involve changes that would increase the severity of a potential impact related to hazardous and hazardous materials. The revised Project is not planning to store, use, or dispose of hazardous waste.

The IS/MND project site is not located within one-quarter mile of a school. Therefore, impacts would be less than significant. The Project is not within an airport land use plan, or within two miles of an airport or airstrip. Therefore, there would be no impacts.

The revised Project would not increase the building square footage, implementation of the revised Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Similar to the IS/MND, the site plan configuration of the revised Project includes fire truck accessible drive aisles to ensure adequate emergency response access on-site. The proposed design would be subject to a standard review process by the Riverside County Fire Department to ensure that the site-specific emergency access, water pressure, and other pertinent criteria are met by the revised Project. No new impacts are expected.

The Riverside County RCIP and the Cal Fire Maps for Western Riverside County indicate that Project and its surroundings are located outside of the Very High Fire Hazard Severity Zone (FHSZ) for Local Responsibility Area and outside of the Very High/High/Moderate FHSZ for State and Federal Responsibility Areas. As previously discussed, the Project will include the on-site fire protection facilities necessary to satisfy the local Fire Department requirements. No new impacts are expected.



Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous IS/MND.

## ***X. Hydrology and Water Quality***

<b>Hydrology and Water Quality</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Violate any water quality standards or waste discharge requirements?	X			
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	X			
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	X			
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in	X			

a manner that would result in flooding on-site or off-site?				
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	X			
f. Otherwise substantially degrade water quality?	X			
g. Place housing within a 100-year-flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	X			
h. Place within a 100-year-flood hazard area structures that would impede or redirect floodflows?	X			
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	X			
j. Contribute to inundation by seiche, tsunami, or mudflow?	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

The Project-Specific WQMP will identify a strategy of site design, source controls, and treatment controls with a required operation and maintenance program to address post-construction runoff quality and quantity. The site plan, grading design, storm drain design, and retention facility of the Project must be factored in the Project-Specific WQMP development and documentation. Runoff from throughout the impervious surfaces (buildings, hardscape and pavement) of each drainage management area will be conveyed via surface and piped flows to a corresponding underground retention structure. Each retention facility will be sized to collect and percolate the worst-case increase in runoff volume between the pre- and post-development condition resulting from the 100-year controlling storm event. The interim facilities will be in place on a short-term basis, but

the proponent will comply with the local MS4 regulations by implementing a WQMP specific to the interim operations. This plan will ensure that that storm water runoff generated by these facilities is properly handled and maintained. Temporary retention basins and conveyances will be constructed to accept runoff from the impervious surfaces of the interim complex (asphalt and containers). As proposed, the stormwater retention and management strategy are expected to comply with local and regional requirements for protecting surface water quality and preventing waste discharge violations.

The proposed development will be expected to implement water conservation measures to reduce impacts to public water supplies. These measures must include low-flow plumbing fixtures, drought-tolerant (native) outdoor landscaping, and water-efficient irrigation systems. Additional domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City’s standard review process.

Moreover, the Project site design for the interim and permanent facilities is not expected to interfere with groundwater recharge conditions. The Project includes underground retention facilities designed to collect and infiltrate the incremental increase between pre-development and post-development stormwater runoff volume resulting from the controlling storm event. This method of stormwater management will therefore facilitate groundwater recharge through infiltration. Infiltration opportunities are also provided in the form of pervious cover areas in the landscaping design. Less than significant impacts are expected.

**Conclusion – Revised Project (2023)**

The added “distribution” activities will not result in an increase in water use and no negative impacts in water quality.

The additional “Use” and revisions to the Project would not cause a new significant impact. There would be no substantial change in the significance of previously identified hydrology and water quality impacts described in the IS/MND.

Because impacts to hydrology and water quality during the operation of the revised Project would be less than significant, no further mitigation or revisions are required.

**XI. Land Use and Planning**

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<b>Land Use and Planning</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
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a. Physically divide an established community?	X			
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	X			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

The Project site sits on approximately 1.25 acres of vacant desert land located east of Cabot Road and 300 feet south of Two Bunch Palms Trail. The site is zoned Light Industrial (I-L) which provides for business parks and the development of light industrial uses, as designated by the City of Desert Hot Springs. The property to the north is occupied by an industrial facility, to the east, south and west lies disturbed and vacant land zoned as Light Industrial. The Project proposes to construct one two-story building specifically geared for cultivation and processing of marijuana. The proposed Project is consistent with the surrounding light industrial land uses and the city’s Land Use and Zoning designations. There are no established community patterns in the Project vicinity that would be divided by the proposed Project. Therefore, no impacts relative to the division of an established community is expected.

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

The proposed Project does not lie within the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) fee area, and a Conservation Area of the (CVMSHCP). There are no protected biological resources on the property as recognized by the CVMSHCP, or the Project Specific Biological Assessment. Less than significant impacts are expected.

**Conclusion – Revised Project (2023)**

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous IS/MND.

**XII. Mineral Resources**

<b>Mineral Resources</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
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?	X			
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?	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

The nature of the Project does not involve the extraction of mineral deposits. Construction of the proposed cultivation and processing facility would rely on existing local and regional aggregate resources from permitted facilities. The Project is not expected to result in a considerable extraction and/or loss of known mineral resources that are considered important to the Coachella

Valley Region or residents of California. Less than significant impacts are expected related to the loss of availability of known mineral resources.

The Project site is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, City of Desert Hot Springs General Plan or the resource maps prepared pursuant to SMARA. The proposed Project is located near two regional drainages (Upper Mission Creek and Big Morongo Wash), which are designated as conservation areas of the CVMSHCP, but because the Project site is not located within these conservation areas, they will not be disturbed.

**Conclusion – Revised Project (2023)**

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous IS/MND.

***XIII. Noise***

<b>Noise</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Exposure of persons to or generation of noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	X			
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	X			
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
d. A substantial temporary or periodic				

increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
e. For a project located within an airport land use plan area, or, where such a plan has not been adopted, within 2 miles of a public airport or public-use airport, would the project expose people residing or working in the project site to excessive noise levels?	X			
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project site to excessive noise levels?	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

During the life of the Project, all cultivation operations shall be conducted in the interior of enclosed structures, facilities, and buildings, as mandated by the local zoning ordinance. All cultivation operations, including materials management, will occur indoors and within the fenced limits. Outdoor activities will be limited. These include vehicular access and circulation in the Project’s parking lot and drive aisles; access to the trash enclosures for waste management (disposal and pick-up); access to the outdoor utilities for maintenance purposes (e.g. chillers, septic or sewer systems, storm drain system components). While the Project would result in an increase in noise levels compared to the existing undeveloped condition, the nature and intensity of operations that would occur in the proposed structures are not expected to result in the generation of noise levels that would surpass the community noise and land use compatibility standards. The Project is expected to result in an incremental increase in traffic-related noise levels on the local roadways and less than significant impacts are expected.

**Conclusion – Revised Project (2023)**

Most of the noise from the Project was originally generated from the construction of the site.

The added “distribution” activities will only result in a minor increase in noise within the area, due to a low volume of delivery-style vans.

The additional “Use” and revisions to the revised Project would only create minor noise impacts due to increased employee traffic and distribution vehicle traffic. There would be no substantial change in the significance of previously identified noise impacts described in the IS/MND.

Because impacts to noise during the operation of the revised Project would be less than significant, no further mitigation or revisions are required.

### ***XIV. Population and Housing***

<b>Population and Housing</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	X			
b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	X			
c. Displace a substantial number of people, necessitating the construction of replacement	X			



housing elsewhere?				
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**Discussion**

Summary of Findings in the IS/MND (2017)

The facility is estimated to staff approximately (20) employees working various shifts with the City’s allowed operational hours. The proposed Project may encourage relocation for employment. However, considering the facility’s purpose and comparison with other light industrial uses, employment generated through these facilities would not be substantial. The Project does not have a residential component and improvements to roads and other infrastructure will be associated with the cultivation and processing facility and would not induce substantial growth to the area. The Project does not propose any residential uses that would necessitate the construction of replacement housing.

**Conclusion – Revised Project (2023)**

The increased employee count of (24) total employees to supplement the added “Use” and distribution activities within the facility are not expected to create a significant impact.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

**XV. Public Services**

Public Services	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental	X			

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 following public services:				
i. Fire Protection?	X			
ii. Police Protection?	X			
iii. Schools?	X			
iv. Parks?	X			
V. Other Public Facilities?	X			

***Discussion***

*Summary of Findings in the IS/MND (2017)*

*Fire Protection*

Development of the Project increases demand on fire services, however based on the site proximity to the City’s existing fire stations, the proposed Project could be adequately served without the expansion of a new fire facility and adequate response times would be met. Additionally, the Project would be required to implement all applicable and current California Fire Code Standards. The Project will also be required to comply with the City’s Development Impact Fees (DIF) to assist with the funding of public facilities and services, including fire, therefore, less than significant impacts are expected.

*Police Protection*

Although the Project may require additional demand for police services, the demand is not expected to hinder the City’s ability to provide police protection services and adequate response times would be met. Furthermore, the Project will be reviewed by City and Police officials to

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

### Schools

Employment generated by the Project would not be expected to draw a substantial number of new residents that would generate school age children requiring public education or substantially alter school facilities or the demand for public education and no new facilities would need to be constructed. Additionally, any future development will be required to pay PSUSD, developer impact fees to assist in offsetting impacts to school facilities. At the time of writing, current development fees are \$3.48 a square foot for residential and \$.56 a square foot for commercial Projects. Less than significant impacts to school services are expected.

### Parks

The proposed Project would not create additional demand for public park facilities, nor result in the need to modify existing or construct new park facilities; therefore, no impacts are expected to parks.

### ***Conclusion – Revised Project (2023)***

Similar to the MND, the revised Project would result in no impacts to parks and other public facilities. However, the revised Project would result in less than significant impacts to fire protection, police services, and school facilities, similar to the proposed project. Therefore, the revised Project will be required to comply with the City's Development Impact Fees (DIF) to assist with the funding of public facilities and services, including fire and police services. The revised Project would also be required to pay developer impact fees to the PSUSD to assist in offsetting impacts to school facilities. The developer impact fees for the district have increased since the time the MND was written.

The revised Project would be required to pay the most current fees. However, with the payment of the DIFs for public facilities and services, and developer impact fees for PSUSD, the revised Project would result in less than significant impacts to public facilities, similar to the MND.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

## ***XVI. Recreation***

<b>Recreation</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. 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?	X			
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	X			

### ***Discussion***

#### ***Summary of Findings in the IS/MND (2017)***

Project proposes to construct a marijuana facility specifically geared for indoor cultivation and processing. Properties immediately to the east, south and west are in a vacant state with similar conditions to those found on-site. The property directly north of the Project is a metal building for industrial purposes. No residential land uses are proposed and the approximate 20 employees working various shifts would not cause a substantial increase to the current existing neighborhood community, regional or pocket parks.

The construction of the proposed cultivation facility within a light industrial zoned area will not involve a recreational facility. No construction or expansion of other recreational facilities is required for Project implementation and no impacts are anticipated.

**Conclusion – Revised Project (2023)**

The revised Project similar to the MND, the revised Project would not result in impacts related to recreational facilities in the city.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

***XVII. Transportation***

<b>Transportation</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	X			
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion	X			

management agency for designated roads or highways?				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X			
e. Result in inadequate emergency access?	X			
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	X			

***Discussion***

*Summary of Findings in the IS/MND (2017)*

*Circulation System*

The Project is anticipated to have a maximum of approximately 20 employees. With an assumed 3 ADT per employee, total trips associated with the Project are estimated to add approximately 60 ADT to the local roadway system. This total is approximately 0.50% of the current ADT. With the construction of the improvements along the Project frontage, this increase will not significantly impact the LOS of Two Bunch Palms Trail.

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

*Congestion Management*

The Project is located approximately 3 miles northeast of the Indian Canyon westbound on-ramp to the Interstate 10 Freeway (I-10). Interstate 10 is identified as a CMP corridor. Traffic resulting from the small-scale operations at the proposed cultivation facility, in compliance with the General

Plan, is not anticipated to individually or cumulatively contribute to an exceedance of a level of service standard established in the CMP.

#### *Air Traffic*

The Project is not located within proximity to an airport and therefore would not result in impacts to air traffic patterns.

#### *Design Hazards*

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

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

#### *Emergency Access*

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

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

#### ***Conclusion – Revised Project (2023)***

Operation of the revised Project will result in a slightly increased rate of traffic. Traffic increases are due in part to an increased employee count (24), associated with the additional distribution activity, which have been added as a new "Use." While the revised Project would not result in a large increase in traffic levels compared to the existing developed condition, the nature and intensity of operations that would occur in the proposed structures are not expected to result in the generation of traffic levels that would surpass the City of Desert Hot Springs standards.

The revised Project would not introduce a substantial amount of additional vehicle trips to the site. The revised Project would not result in increased vehicular conflicts, as the proposed uses would

be similar to the prior proposed uses and existing uses in the surrounding area. Following compliance with Standard Conditions including adjacent roadway improvements and payment of TUMF and Development Impact Fees, the Project is expected to result in less than significant impacts similar to the previous Project.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

### ***XVIII. Tribal Cultural Resources***

<b>Tribal Cultural Resources</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
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:	X			
a. 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	X			
b. 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	X			
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**Discussion**

Summary of Findings in the IS/MND (2017)

CRM Tech conducted a Project and site-specific study on historical and archaeological resources. The assessment included records searches, historical background research, and field survey. The Native American Heritage Commission (NAHC) reported that the sacred land research yielded negative results for Native American Cultural Resources within the Project area.

The Project area is located within the tribe’s (San Manuel Band of Mission Indians) ancestral territory and requested to be notified if any Native American cultural resources were discovered during the Project (discussed in section V Cultural Resources). Following implementation of mitigation measures, less than significant impacts are anticipated.

**Conclusion – Revised Project (2023)**

The revised Project would not require any construction beyond what was anticipated in the original IS/MND since the added “Use” is operational within the already developed Project site. While distribution activities are to be added, no additional grading beyond what was already anticipated in the IS/MND would occur. Similar to the MND, the revised Project would result in no impacts to historic resources as defined in Public Resource Code Section 5020.1(k).

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

***XIX. Wildfire***

Tribal Cultural Resources	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	X			
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?	X			
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?	X			
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?	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

Large areas of Southern California are susceptible to Wildfires all year round due to the region’s weather, topography and vegetation conditions. The Coachella Valley’s hot dry summer and autumn weather is ideal to generate the dry vegetation that fuels most wildfires. The California Board of Forestry (CDF) ranks fire hazard of wildland areas of the State using four main criteria: fuels, weather, assets at risk, and level of service. Although the Project site and its general

surroundings are undeveloped with scattered vegetation, these conditions have not been recognized to meet the criteria of high or very high fire hazard zones.

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

**Conclusion – Revised Project (2023)**

The revised Project will not add any additional wildfire risks, beyond what was analyzed in the original IS/MND. No additional construction or grading will be required for any additional activities. Fire mitigation equipment and compatible facilities have been introduced and are currently in use within the existing Project, meeting and exceeding all local Fire Department requirements.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

**XX. Utilities and Service Systems**

<b>Utilities and Service Systems</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Exceed wastewater treatment requirements of the applicable RWQCB?	X			
b. Require or result in the construction of new water or wastewater treatment facilities or an expansion of existing facilities, the construction of which could cause significant environmental effects?	X			
c. Require or result in the construction of new stormwater drainage facilities or an expansion of existing	X			

facilities, the construction of which could cause significant environmental effects?				
d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or would new or expanded entitlements be needed?	X			
e. Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	X			
f. Be served by a landfill with insufficient permitted capacity to accommodate the Project's solid waste disposal needs?	X			
g. Comply with federal, state, and local statutes and regulations related to solid waste?	X			

**Discussion**

Summary of Findings in the IS/MND (2017)

Wastewater

The Project is not expected to exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). In addition, City and other local and governmental agency review will ensure compliance with all current and applicable wastewater treatment requirements. Less than significant impacts are expected.

Water and Sewer Service

Water and sewer installation and connection fees in place at the time of development or connected would be collected by MSWD. Therefore, no new or expanded treatment facilities are anticipated as a result of project implementation and less than significant impacts are expected.

Construction and Drainage

The Project will be required to comply with all construction requirements and best management practices through the life of the Project. Standard engineering procedures currently in place

require that all final grading and hydrology plans be submitted to the City of Desert Hot Springs for review and approval prior to the issuance of a grading permit. Less than significant impacts are expected relative to the new construction or storm water drainage or the expansion of these facilities.

#### Entitlements

The proposed development will be expected to follow water conservation guidelines to mitigate impacts to public water supplies. Examples of these water conservation methods include water conserving plumbing fixtures, drought tolerant landscaping, and drip irrigation systems. The Project proposes to connect to the existing water main along Two Bunch Palms Trail. Additional domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process. Less than significant impacts to water supply are expected.

#### Wastewater Capacity

The Project's future connections into sewer infrastructure will undergo review by MSWD and City Staff to ensure wastewater capacity and compliance. Additionally, sewer installation and connection fees in place at the time of development or connection would be collected by MSWD. Less than significant impacts to wastewater treatment are expected.

#### Landfill

Solid waste disposal and recycling services for the City of Desert Hot Springs are provided by Desert Valley Disposal (DVD). Solid waste generated by the Project would consist of standard household/office waste. Unused plant material will be composted and reintroduced into soil composite and disposed of in secured waste receptacles. Commercial waste and recycling collected from the proposed Project will be hauled to the Edom Hill Transfer Station. Waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Disposal Site, El Sobrante Sanitary Landfill and Lamb Canyon Disposal Site. CalRecycle data indicates that these landfills have 40-50% of their remaining estimated capacity. Additionally, solid waste generated by the marijuana cultivation and processing facility would be minimal. Less than significant impacts to solid waste are expected.

#### Solid Waste Compliance

The City of Desert Hot Springs contracts with Desert Valley Disposal to serve the solid waste disposal needs of the city, including the Project. The Project will comply with all applicable solid waste statutes and guidelines. No impacts are expected relative to solid waste statutes and regulations.

#### **Conclusion – Revised Project (2023)**

Similar to the findings in the MND, the revised Project would not result in significant impacts to utilities and service systems. The revised Project would not require grading or construction since the added activities will be within the already existing facility that has been analyzed by the MND within the Project site, and the site is fully built-out and in operation. As such, no new or more impacts related to utilities and service systems would occur.

Similar to the MND, wastewater generated by the revised Project is expected to be minimal. The revised Project is not expected to exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). In addition, City and other local and governmental agency review will ensure compliance with all current and applicable wastewater treatment requirements. No new or expanded treatment facilities are anticipated from Project implementation. Similar to the MND, the revised Project would result in less than significant impacts to wastewater treatment facilities.

Like the MND, the revised Project will be required to comply with all construction requirements and best management practices through the life of the Project. Standard engineering procedures currently in place require that all final grading and hydrology plans be submitted to the City of Desert Hot Springs for review and approval prior to the issuance of a grading permit. Less than significant impacts are expected, similar to the MND.

Regarding water supply, the revised Project would be expected to follow water conservation guidelines to mitigate impacts to public water supplies. Examples of these water conservation methods include water conserving plumbing fixtures, drought tolerant landscaping, and drip irrigation systems. Less than significant impacts to water supply are expected.

Unused plant material will be composted and reintroduced into soil composite. Commercial waste and recycling collected from the revised Project will be hauled to the Edom Hill Transfer Station. Waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Disposal Site, El Sobrante Sanitary Landfill and Lamb Canyon Disposal Site. CalRecycle data indicates that these landfills have 40-50% of their remaining estimated capacity. Additionally, solid waste generated by a cannabis facility would be minimal. Less than significant impacts to solid waste are expected. Additionally, the revised Project would comply with all applicable solid waste statutes and guidelines. No impacts are expected relative to solid waste statutes and regulations.

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

## ***XXI. Mandatory Findings of Significance***

<b>Mandatory Findings of Significance</b>	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification  (Not sufficient for CEQA compliance)	Requires Subsequent or Supplemental MND or EIR  (Not sufficient for CEQA compliance)
a. Does the Project have the potential to degrade the quality of the				

<p>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?</p>	<p>X</p>			
<p>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.)</p>	<p>X</p>			

c. Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	X			
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**Conclusion**

Major revisions to the MND are not required due to changes to the Project as there have been no substantial changes in circumstances requiring major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND. The minor changes to the Project proposed by the Applicant would not result in a change to the impact evaluation in the IS/MND.

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## 7.0 FINAL CONCLUSIONS

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The original Project resulted in potentially significant impacts to biological resources. However, all of these impacts were reduced to less than significant through implementation of the MND mitigation measures. No additional impacts were identified as a result of the revised Project, and no deficiencies were identified related to the City’s General Plan as a result of the additional distribution activities and “Use.”

Changes and proposed updates to the Project would not be considered substantial. The addition of a new “Use” and associated “activity” to the Project would not cause any new significant impacts or substantial increases in the severity of a previously identified significant impacts (CEQA Guidelines, Section 15162(a)(1)) that would require major revisions to the MND. All new impacts associated with the added “activities” would be similar to the impacts previously analyzed in the MND.

There is sufficient evidence in support of the City of Desert Hot Springs’ determination that the minor changes to the Project do not meet the conditions for preparing an EIR or subsequent MND under CEQA Guidelines, Section 15162, and Section 15164.

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## 8.0 SOURCES

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- Cabot Management LLC Application Materials and Operational Documentation
- The City of Desert Hot Springs - Conditional Use Permit 38-17



- Initial Study and Mitigated Negative Declaration – Cabot Management LLC
- DCC-Provided CEQA Memorandums (DCC, 2023)
- City of Desert Hot Springs Comprehensive General Plan, adopted September 5, 2000
- City of Desert Hot Springs Comprehensive General Plan Draft EIR, June 2001
- City of Desert Hot Springs Municipal Code
- Mission Springs Water District 2015 Urban Water Management Plan, June 2016
- Mission Springs Water District Wastewater System Comprehensive Master Plan, April 2007
- Riverside County General Plan (RCIP), adopted October 7, 2003
- United States Department of Agriculture: National Engineering Handbook, May 2007

## **9.0 SPECIAL STUDIES**

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- Burrowing Owl Habitat Suitability Assessment, prepared by Jericho Systems Incorporated, November, 2017
- The California Emissions Estimator Model, CalEEMod Version 2016.3.2, December 2017
- Historical/Archaeological Resources Survey, prepared by CRM TECH, June, 2015
- Preliminary Hydrology Report, prepared by Watson Engineering, October, 2017