

Addendum to the Mitigated Negative Declaration

**Addendum Associated With
Conditional Use Permit No. 12-16**

**Chloroplant Inc.
(C11-22-000025-APP)
(CCL22-0000228 / LCA22-0000228)**

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TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1.0 INTRODUCTION AND PROJECT HISTORY	3
2.0 STATUTORY BACKGROUND (CEQA)	3
3.0 ORIGINAL PROJECT SUMMARY	5
4.0 PROJECT REVISIONS	10
5.0 ENVIRONMENTAL SETTING	16
6.0 ENVIRONMENTAL IMPACT SUMMARY.....	16
7.0 ENVIRONMENTAL IMPACT ANALYSIS.....	21
I. Aesthetics.....	23
II. Agricultural Resources	25
III. Air Quality	27
IV. Biological Resources.....	30
V. Cultural Resources	33
VI. Energy	35
VII. Geology and Soils	37
VIII. Greenhouse Gas Emissions	40
IX. Hazards and Hazardous Materials	41
X. Hydrology and Water Quality	47
XI. Land Use and Planning.....	51
XII. Mineral Resources	53
XIII. Noise	54
XIV. Population and Housing.....	57
XV. Public Services.....	59
XVI. Recreation	62
XVII. Transportation	64
XVIII. Tribal Cultural Resources	67
XIX. Wildfire.....	69
XX. Utilities and Service Systems	71
XXI. Mandatory Findings of Significance	75

8.0 FINAL CONCLUSIONS.....77
9.0 SOURCES77

1.0 INTRODUCTION AND PROJECT HISTORY

In 2016, the City of Desert Hot Springs City Council adopted a Mitigated Negative Declaration (MND) for Merj, LLC (CUP 12-16) referred to herein as “previous Project” “Project,” or “IS/MND.” Proposed revisions to the previous Project are referred herein as “revised Project.”

The original IS/MND evaluated the impacts associated with the proposed development of the project which the applicant, Merj, LLC, Project proposes to construct an industrial park that houses facilities for the indoor cultivation of medical marijuana in accordance with Desert Hot Springs Municipal Code 5.50 (Medical Marijuana Facilities Regulatory Permit) and 17.180 (Medical Marijuana Facilities). The industrial park will consist of specialized facilities for the indoor cultivation of medical marijuana on a 9.7 acre site. The development will include seventeen (17) two-story, free standing buildings ranging from 11,763 square feet (sf) to 34,285 sf and two (2) guardhouses at 294 square feet and 252 square feet. At build out, the Project will contain approximately 309,425 sf of building area. In total, approximately 290,276 sf of building space will be dedicated for cultivation/processing and 19,149 sf will be used for office space.

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.

In accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this addendum addresses the potential environmental impacts associated with the updated structures within the revised Project area 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 STATUTORY BACKGROUND (CEQA)

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 revised 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 applicant, Merj, LLC, proposes to construct an industrial park will consist of specialized facilities for the indoor cultivation of medical marijuana on a 9.7 acre site. The development will include seventeen (17) two-story, free standing buildings.

Project Location:

The Project is located on 9.7 acres of undisturbed desert land east of the projected centerline of Little Morongo Road, between Dillon Road and 15th Ave, in the City of Desert Hot Springs, California.

Total Project Area: 9.74 gross acres

Assessor's Parcel Number: 665-080-004

General Plan Designation: Light Industrial

Zoning Designation: Light Industrial

Section, Township & Range Description or reference:

POR of S . of Section 1, Township 3 South, Range 4 East, San Bernardino Base Line & Meridian
The 9.74 -acre site consists of vacant desert land and is located east of the projected centerline of Little Morongo Road, between Dillon Road and 15th Ave. 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/southeast. The site has no street improvements and has street access via Little Morongo Road, a two lane paved road. East of the property is the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) Morongo Wash Conservation Area, Riverside County Flood Control Interim Storm Channel and the entire site is within Federal Emergency Management Agency (FEMA) flood zones AO, with a depth of 1' and velocity of 4 FPS.

Project Description:

The Project proposes to develop Lot 3 of Parcel Map 36979 to construct an industrial park housing facility specialized for the indoor cultivation of medical marijuana on a 9.7 acre site in accordance with Desert Hot Springs Municipal Code 5.50 and 7.180. The development will include seventeen (17) two-story, free standing buildings ranging from 11,763 square feet (sf) to 34,285 sf and (1) 294 sf guardhouse-1 and (1) 252 guardhouse-2. At build out, the Project will contain approximately 309,425 sf of building area. In total, approximately 290,276 sf of building space will be dedicated for cultivation/processing and 19,149 sf will be used for office space. The entire Project site will be secured by 6 foot high perimeter fencing and construction is proposed in one (1) phase.

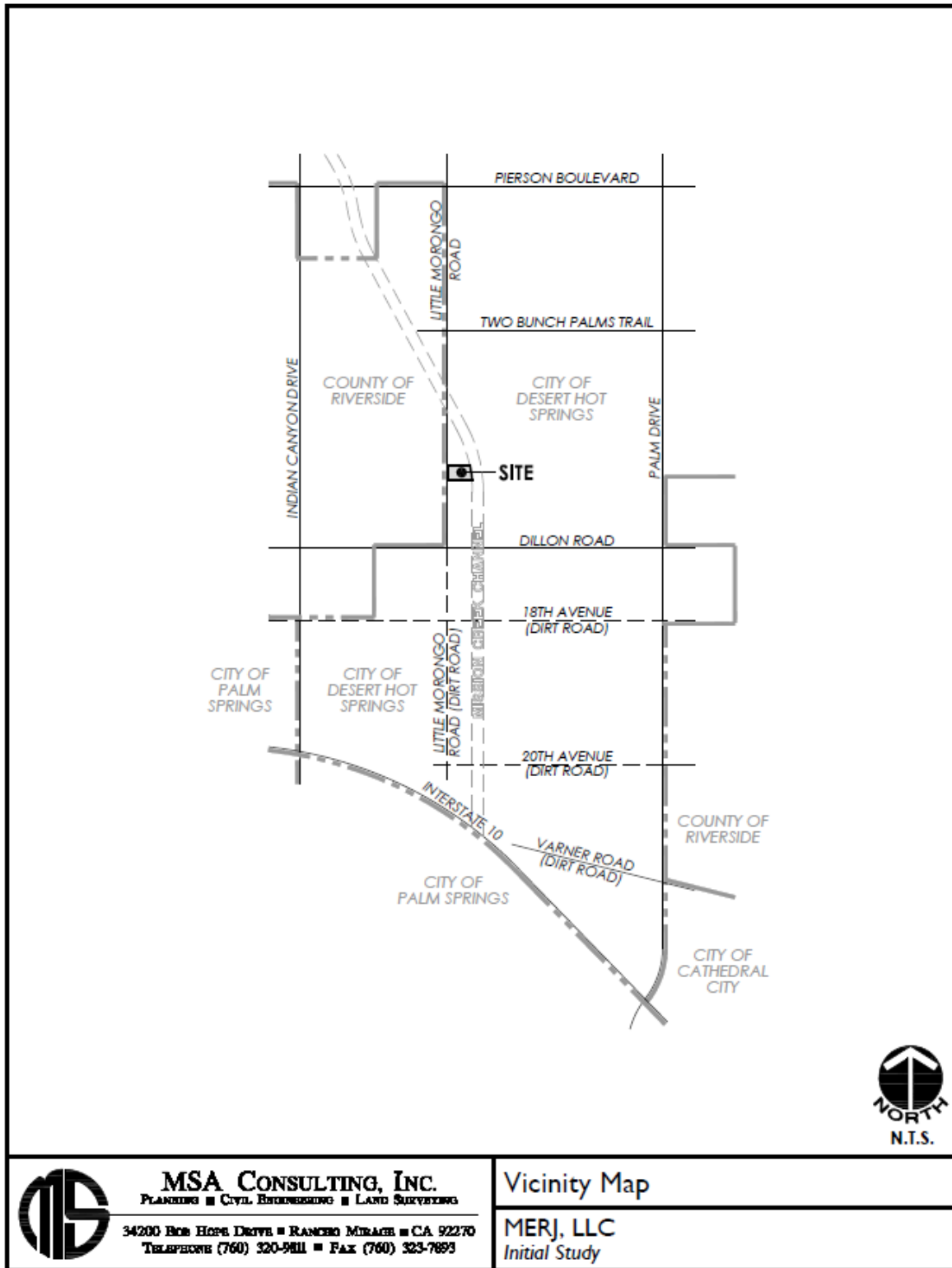
The Project includes a Conditional Use Permit (Municipal Code 17.180.090), Regulatory Permit (Municipal Code Chapter 5.50), and a Development Agreement. Approval of these entitlements will render the Project in full compliance with City regulations. In addition, all medical marijuana

cultivation operations and any related activities, such as transportation, manufacturing, and testing, are required to comply with all relevant State laws.

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 industrial park could generate approximately 200 employees with a normal work week of approximately 40 hours. However, staffing will be determined by individual growers and tenants as each of their needs will vary. All staff will be subject to thorough background checks as per City regulations.

All processing activities will take place within the interiors of the proposed buildings, including propagation, curing, processing, potting, transplanting and shipping. Other uses may include extracting oils from the Cannabis plants using Fire Department approved CO₂ equipment. Finished product will be packaged and loaded onto delivery trucks within secured, enclosed garage areas located within each cultivation building.

The location of the original Project site, and the 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
MERJ, LLC
Initial Study

Exhibit 1

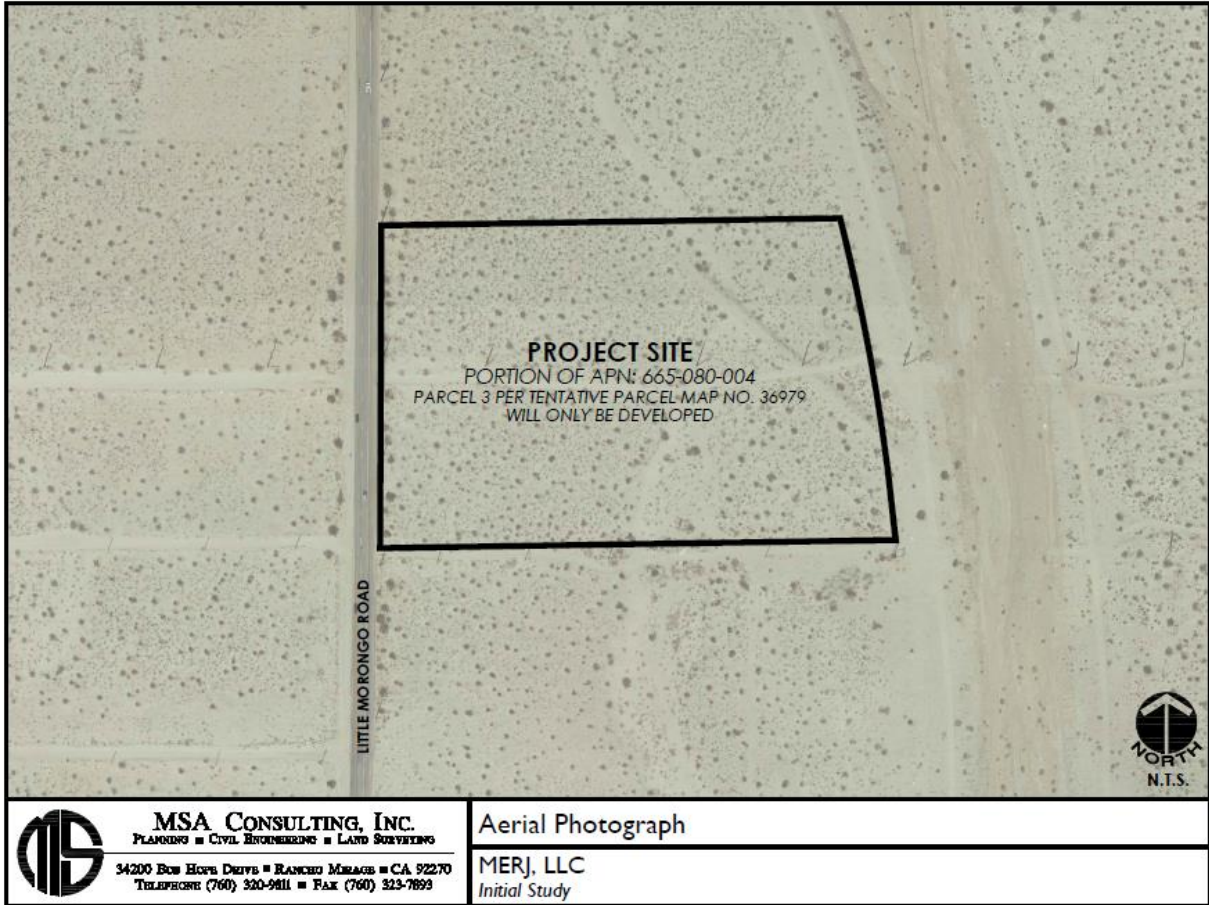
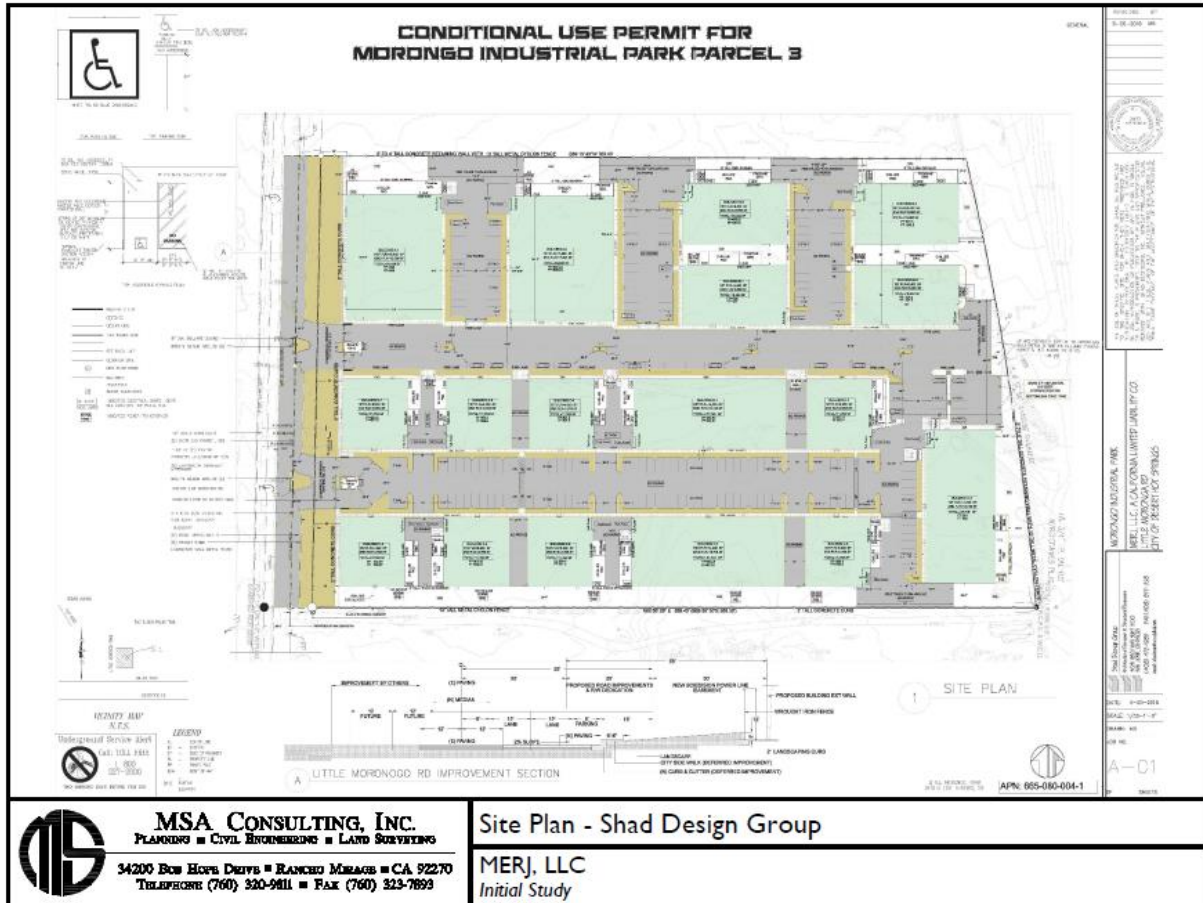


Exhibit 2



MSA CONSULTING, INC.
 PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING
 34205 BOW HORN DRIVE ■ RANCHO MESA ■ CA 92270
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7899

Site Plan - Shad Design Group
MERJ, LLC
 Initial Study

Exhibit 3

4.0 PROJECT REVISIONS

The Chloroplant Inc. revised Project is adding an amendment as part of the addition of a fully constructed, compliant, and operational facility and all associated “activity.”

The revised Project incorporates the following changes:

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

As previously stated, the original Merj, LLC IS/MND analyzed impacts associated with the proposed development of an industrial park developed for cannabis cultivation activities.

Originally, the proposed project was intended to construct an industrial park housing facility specialized for the indoor cultivation of medical marijuana on a 9.7 acre site. The development was intended to include seventeen (17) two-story, free standing buildings ranging from 11,763 square feet (sf) to 34,285 sf and (1) 294 sf guardhouse-1 and (1) 252 guardhouse-2. At build out, the Project would contain approximately 309,425 sf of building area. In total, approximately 290,276 sf of building space will be dedicated for cultivation/processing and 19,149 sf will be used for office space.

The revised Project is located at:

15882 Little Morongo Rd, Bldg. B2, Desert Hot Springs CA 92240-Riverside County

APN:665-081-003. Cross Streets: 16th Avenue & Little Morongo Road.

The revised Project activities will not expand the existing footprint of the facility beyond the current structural or parcel boundaries, increase the amount of impervious surface, or reduce any natural habitat. The revised Project proposes a much smaller 16,460 square foot facility. The site encompasses a much smaller .15 acres and is in accordance with Desert Hot Springs Municipal Code 17.180. The facility contains space for office use, cannabis cultivation, processing, and distribution.

Cultivation activities 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. Roughly 5-7 shipments per week are expected at this location.

During operation, the facility will include (6) employees on site. Overall, the revised project scope is much smaller than originally analyzed.

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

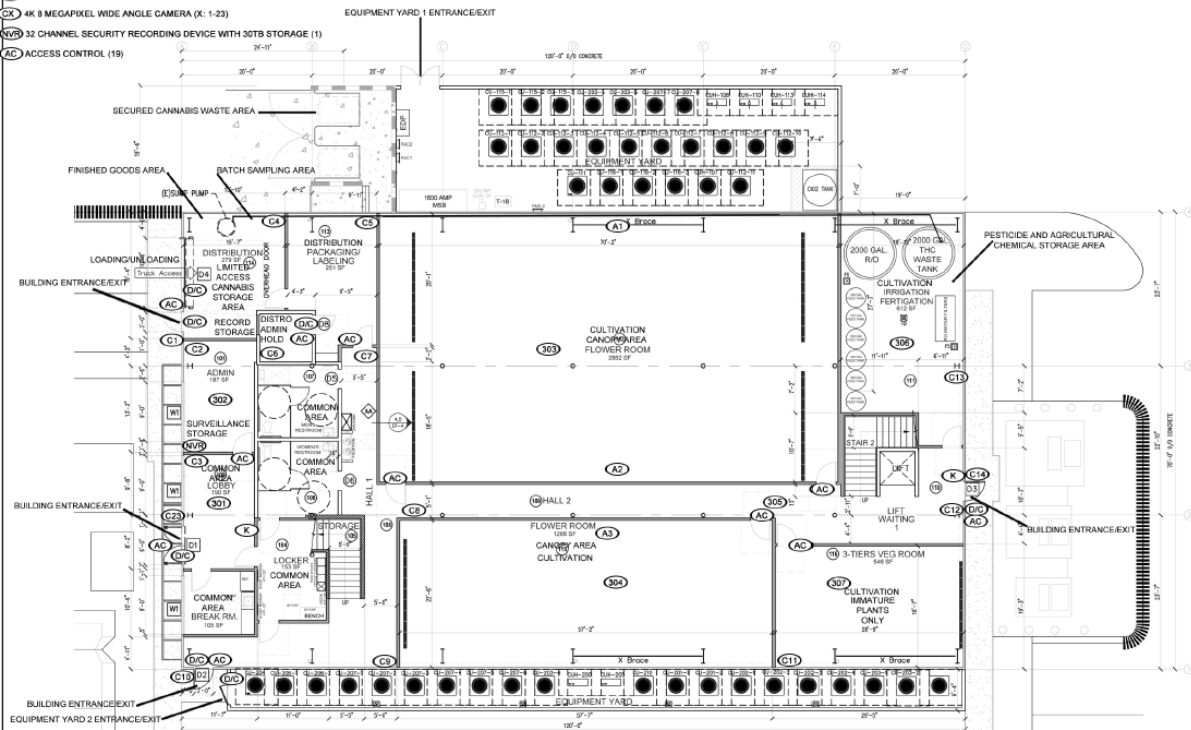
The impact analysis contained herein will focus on whether the revised Project would result in any new or severe impacts not previously identified in the adopted Merj, LLC IS/MND.

This updated addendum analyzed the environmental impacts of the intended operation related to the added “uses” within the facility, including potential impacts to resources including water supply, air quality, and utilities resulting from commercial cannabis business activities.

The proposed updated floor plans are shown below, in Exhibit 4 – 9.

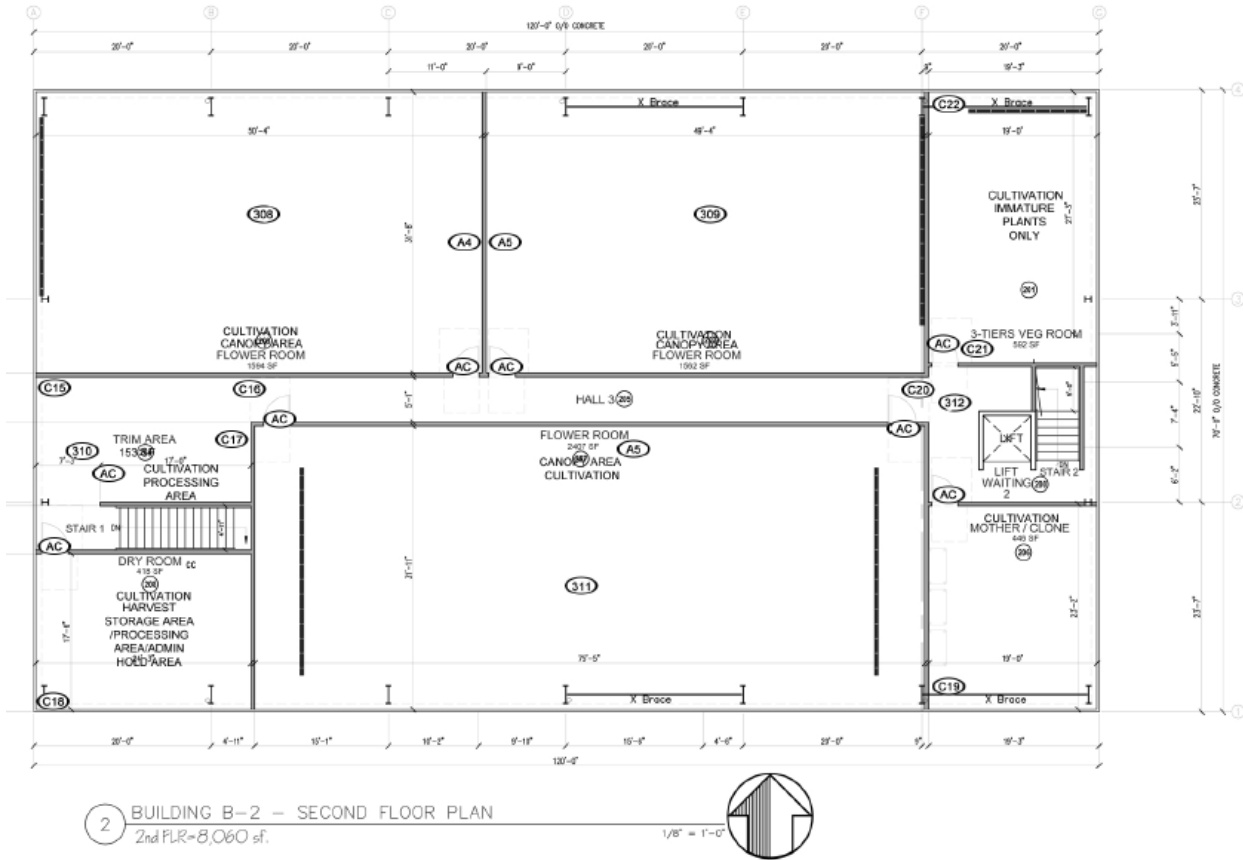
LEGEND:

- (DC) DOOR CONTACTS (7)
- (K) KEYPADS (2)
- (AX) 180 DEGREE 4K 8 MEGAPIXEL WIDE ANGLE CAMERA (X: 1-6)
- (XX) 360 DEGREE MOTION DETECTION (XX: 1-12)
- (CX) 4K 8 MEGAPIXEL WIDE ANGLE CAMERA (X: 1-23)
- (NVR) 32 CHANNEL SECURITY RECORDING DEVICE WITH 30TB STORAGE (1)
- (AC) ACCESS CONTROL (19)



1 BUILDING B-2 – FIRST FLOOR PLAN
 1st FLR ~ 8,400 sf.
 1/8" = 1'-0"

Exhibit 4



Revised Project / Current Facility (Chloroplant Inc.):







5.0 ENVIRONMENTAL SETTING

The original project site is located in a sparsely developed area of Desert Hot Springs. A medical marijuana cultivation facility has been approved immediately west of the project site. Vacant and undeveloped land occurs to the east, industrial development occurs to the south, and vacant lands to the east. The project site is designated as Light Industrial (I-L) on the City's General Plan Land Use Map. Immediate surrounding lands are also designated as Light Industrial.

The revised Project site is on the same parcel as the original project, no major changes to "environmental setting" will take place or are of note.

6.0 ENVIRONMENTAL IMPACT SUMMARY

The proposed project has been reevaluated using the most recent CEQA Initial Study checklist. The evaluation used current regulations and thresholds, to reflect current conditions at the site and changes in regulations that have occurred since 2016. This analysis shows that the proposed project's impacts remain the same or are lower than what was determined in the adopted MND for the previous Project. If mitigation measures incorporated in the adopted MND are outdated due to changes in regulations or conditions, similar mitigation measures have been implemented to reflect these changes.

**Table 1: Environmental Study and Impact Summary and Comparison
Original Project (Merj, LLC) vs. Revised Project (Chloroplant Inc.)**

Potential Environmental Impact	Previous Project (Merj, LLC)	Revised Project (Chloroplant Inc.)	Comparison
IS/MND – General Findings	2016	2023	New Chloroplant INC. revised Project has the same or less intense impacts than previously approved project. All impacts are Less than Significant or Less than Significant with Mitigation Incorporated. An MND Addendum is the appropriate CEQA document.
AESTHETICS	2016	2023	Previous Project MND Finding: Less than significant impact. Revised Project Finding: Less than significant impacts and no new or more significant impacts with added distribution uses and activities.
AGRICULTURE AND FOREST RESOURCES	2016	2023	Previous Project MND Finding: No impact. Revised Project Finding: No new or more significant impacts with added distribution uses and activities.
AIR QUALITY	2016	2023	Previous Project Finding: Less than significant impact. Impacts are below all thresholds without mitigation. Revised Project Finding: Less than significant impacts and n No new or more significant impacts with added distribution uses and activities.
BIOLOGICAL RESOURCES	2016	2023	Previous Project MND Finding: Less than significant impact with mitigation incorporated. Revised Project Finding: Less than significant impact with mitigation incorporated. No new or more significant impacts with added distribution uses and activities.
BIOLOGICAL RESOURCES ASSESSMENT	2016	2023	Previous Project MND Finding: Less than significant with mitigation incorporated. Revised Project Finding: Less than significant with mitigation incorporated. No new or more significant impacts with added distribution uses and activities.

CULTURAL RESOURCES	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact with mitigation incorporated.</p> <p>Revised Project Finding: Less than significant impact with mitigation incorporated. No new or more significant impacts with added distribution uses and activities.</p>
ENERGY	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Impacts were not analyzed in the original IS/MND.</p> <p>Revised Project Finding: No impact. No new or more significant impacts with added distribution uses and activities.</p>

GEOLOGY/SOILS	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact and no impact.</p> <p>Revised Project Finding: Less than significant impact and no impact. No new or more significant impacts with added distribution uses and activities.</p>
GREENHOUSE GAS EMISSIONS	<i>2016</i>	<i>2023</i>	<p>Previous Project Finding: Less than significant impact.</p> <p>Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.</p>
HAZARDS AND HAZARDOUS MATERIALS	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact.</p> <p>Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.</p>
HYDROLOGY AND WATER QUALITY	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact with mitigation measures incorporated.</p> <p>Revised Project Finding: Less than significant impact with mitigation measures still in place. No new or more significant impacts with added distribution uses and activities.</p>
LAND USE AND PLANNING	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact.</p>

			Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.
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MINERAL RESOURCES	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: No impact.</p> <p>Revised Project Finding: No impact. No new or more significant impacts with added distribution uses and activities.</p>
NOISE	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact.</p> <p>Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.</p>
POPULATION AND HOUSING	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact.</p> <p>Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.</p>
PUBLIC SERVICES	<i>2016</i>	<i>2023</i>	<p>Previous Project Finding: Less than significant impact.</p> <p>Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.</p>
RECREATION	<i>2016</i>	<i>2023</i>	<p>Previous Project Finding: No impact.</p> <p>Revised Project Finding: No impact. No new or more significant impacts with added distribution uses and activities.</p>
TRAFFIC AND TRANSPORTATION	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact.</p> <p>Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.</p>

TRIBAL CULTURAL RESOURCES	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact with mitigation incorporated.</p> <p>Revised Project Finding: Less than significant impact with mitigation incorporated. No new or more significant impacts with added distribution uses and activities. All existing mitigation measures will be required.</p>
WILDFIRE	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Impacts were not analyzed in the original IS/MND.</p> <p>Revised Project Finding: No impact. No new or more significant impacts with added distribution uses and activities.</p>
UTILITIES AND SERVICE SYSTEMS	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact.</p> <p>Revised Project Finding: Less than significant impact. No new or more significant impacts with added distribution uses and activities.</p>
MANDATORY FINDINGS OF SIGNIFICANCE	<i>2016</i>	<i>2023</i>	<p>Previous Project MND Finding: Less than significant impact with mitigation incorporated.</p> <p>Revised Project Finding: Less than significant impact with mitigation incorporated. No new or more significant impacts with added distribution uses and activities.</p>

7.0 ENVIRONMENTAL IMPACT ANALYSIS

This document is an addendum to the previously adopted Merj, LLC IS/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
- **“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.
- **“Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR”** is used when the analysis determines that substantial changes in the circumstances under which the project is undertaken will require major revisions to 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.

- **“New Information of Substantial Importance Requiring 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

Aesthetics	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

The undeveloped Project property has distant and relatively unobstructed views of the Little San Bernardino Mountains to the west, north and east. The San Jacinto and Santa Rosa Mountains are visible to the southeast, south and southwest. All visible mountain ranges are located over a mile from the Project site and none have a formal designation as a scenic vista in relation to the Project setting.

A coordinated architectural style for each building would result in visually unified complex with a desert contemporary theme, resulting in a positive aesthetic within the site and from the public view. Downward oriented lighting in the parking lot and drive aisles would provide the necessary nighttime illumination for safety and facility security. The look of an attractive, well-maintained

industrial park is achieved with architectural enhancements for each structure and along the Project frontage.

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

The Project is not located within close proximity to any designated county scenic highway. The proposed site plan, architectural design, and landscaping design would not result in adverse impacts to scenic resources within a state scenic highway or other local transportation corridor. Less than significant impacts are expected.

The Project site design, architecture and landscape architecture on the property will require review and approval by the City of Desert Hot Springs to ensure that aesthetic considerations of the community are addressed in the proposed design. Less than significant impacts are expected.

The lighting plan will be required to identify exterior lighting that is energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the Project property. The light fixtures would be directed downward and away from adjoining properties and the public right-of-way. The proposed lighting shall provide face recognition at 100 feet and satisfy the review and considerations raised by the Planning and/or Police Departments. Less than significant impacts are expected.

Conclusion – Revised Project (2023)

Similar to the original IS/MND there are no state scenic highways located near the proposed revised Project site. The proposed revised Project features would blend with the existing setting and are not anticipated to adversely alter the existing viewshed of any scenic vistas or aesthetic considerations. No mitigation measures are required.

All revised Project updates take place within a small square foot footprint, within the existing, approved Project area which does not contribute to any new or more severe impacts.

II. Agricultural Resources

Agricultural and Forestry Resources	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 Monitoring Program (FMMP) of the California Resources Agency, to nonagricultural use?	X				
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	X				

conversion of Farmland to a nonagricultural use?					
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Discussion

Summary of Findings in the IS/MND (2016)

The proposed Project will not disturb or convert any designated farmland or other form of agricultural resource.

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

The proposed Project will not impact or remove land from the City or County’s agricultural zoning or agricultural preserve. No impacts are expected.

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

The proposed Project will occur in an existing urban desert setting. No forest land occurs on the Project site or in the surrounding area because forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are expected.

The proposed indoor cultivation facilities will not result in conversion of any farmland or forest land because no farmland or forest land is situated within or adjacent to the Project. No impacts are anticipated.

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)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

The Project site is surrounded primarily by undeveloped land and is not situated within close proximity of existing residential uses or other densely populated areas of the City or County.

The proposed cultivation facility will be compatible with the existing land use designation on and around the property and is not expected to conflict with the General Plan buildout conditions or obstruct with implementation of its applicable air quality objectives.

The Project will not require a General Plan Amendment or other revision that would provide directly or indirectly for increased population growth above the level projected in the adopted AQMP. The Project will not interfere with the ability of the region to comply with federal and state ambient air quality standards. Projects that are consistent with local General Plans are considered consistent with the air quality related regional plans including the current AQMP, the PM10 CVSIP and other applicable regional plans. The proposed Project is a permitted use in the existing zone and shall comply with the corresponding development standards. Development is consistent with the growth projections in the City of Desert Hot Springs General Plan and is considered to be consistent with the AQMP.

The Project is considered to be consistent with the AQMP and impacts related to air quality plans are expected to be less than significant following implementation of standard conditions within the plan. Less than significant impacts are anticipated relative to conflict with or obstruction of implementation of the applicable air quality plan following the implementation of standard conditions.

The unmitigated peak day air pollutant emissions during the construction phase with the highest daily emissions are not projected to exceed any of the significance thresholds for short-term construction related emissions recommended by the SCAQMD. Based upon the projected emissions of the criteria air pollutants, the proposed Project would have less than significant impacts relative to short-term impacts to air quality.

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. Less than significant impacts are anticipated.

The proposed Project is expected to emit criteria pollutants, including ozone precursors, in a region designated nonattainment of the national 8-hour ozone standards. However, the Project related emissions would not exceed the applicable SCAQMD quantitative significance thresholds for short-term construction-related or long-term operational emissions. Less than significant impacts are anticipated.

During the life of the Project, activities and operations related to the proposed facilities are not expected to generate emissions concentrations that exceed the SCAQMD mass thresholds. Less than significant impacts are anticipated.

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 2016, no mitigation measures were required for the construction phase of the project and all other impacts regarding air quality, odor emission, or pollutants of the originally proposed Project were seen as less than significant.

The revised Project has been developed in accordance with all applicable air quality management plans. The added distribution activities would create a negligible amount of air pollution and would contribute less to the overall air pollution in the area. The proposed revisions 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, impacts other than those mentioned in the original IS/MND.

IV. Biological Resources

Biological Resources	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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				
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Discussion

Summary of Findings in the IS/MND (2016)

Biological surveys and analyses were designed to ascertain the impacts of proposed development on the potential biological resources of the Project site and immediate vicinity, as mandated by CEQA and required by the City of Desert Hot Springs.

There should be no need to obtain streambed alteration permits from state or federal agencies, and no habitat evaluation or state or federal streambed alteration permits are required.

Impacts to the milk vetch are fully mitigated by the CVMSHCP through the payment of the plans mitigation fee and per the biological report, no further action or plant surveys are recommended.

The Project site appears to be suitable for the sensitive Coachella Valley Jerusalem cricket and the Coachella Valley giant sand-treader cricket, even though they were not detected. The Palm Springs ground squirrel is considered a Species of Special Concern and was detected on the northern half of the parcel map (not on Parcel 3 – Industrial Park site) . Each of these organisms is covered under the CVMSHCP and mitigation is provided under the plan through the payment of fees.

The Project does not lie within a Conservation Area of the (CVMSHCP). However, the site does share its eastern boundary with the Upper Mission Creek /Big Morongo Canyon and Willow Hole Conservation Area. Therefore, the Project is subject to the Land Use Adjacency guidelines, which are established to avoid or minimize indirect effects from development adjacent to a Conservation Area. Additionally, the Project is required as a standard condition to comply with and pay the relevant CVMHSCP development impact fee. The study’s findings conclude that no significant adverse impacts to biological resources in the region are expected to result from Project implementation. 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).

The biological report recommends three mitigation measures: 1) contact Coachella Valley Association of Governments (CVAG) to determine the precise mitigation fee applicable under the CVMSHCP, 2) Adhere to the recommendations for Projects adjoining Conservation Areas of the CVMSHCP and 3) Conduct a burrowing owl clearance survey not more than 30 days prior to site disturbance.

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

As a result of the absence of significant wash or riparian vegetation, absence of sensitive plant species and absence of sensitive animal species, less than significant impacts to desert wash or riparian habitats are expected.

A Project Specific Water Quality Management Plan (WQMP) is expected to be prepared to ensure that the Project does not contribute pollutants of concern in any Project storm runoff. Less than significant impacts are expected.

Less than significant impacts are expected to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, provided that the Mitigation Measures of the Initial Study are implemented pertaining to the burrowing owl.

The Project will comply with the CVMSHCP and there are no other unique local policies or ordinances protecting biological resources that would cause a conflict nor does the site support high value biological resources that could be affected. There are no applicable tree preservation policies or ordinances, and no impacts are expected.

The Project lies within the boundary of the CVMSHCP, which outlines policies for conservation of habitats and natural communities. On October 2, 2008, a habitat mitigation fee from new development Projects was instituted to implement the CVMSHCP and support the acquisition of conservation lands. The fee would be applied per Chapter 3.40 of the Desert Hot Springs Municipal Code (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fees). Based on these provisions, the applicable fees would be collected by the City and remitted to the Coachella Valley Conservation Commission (CVCC) at issuance of a certificate of occupancy or upon final inspection of the premises, whichever occurs first. The Project is expected to comply with provisions of the CVMSHCP. As previously discussed, the Project site shares the eastern boundary with the Upper Mission Creek /Big Morongo Canyon and Willow Hole Conservation Area. Therefore, the Project is subject to the Land Use Adjacency guidelines, which are established to avoid or minimize indirect effects from development adjacent to a Conservation Area. The Project will maintain a buffer from the conservation area and no development will occur in the wash. Project design will comply with the Land Use Adjacency Guidelines. Less than significant impacts are anticipated provided that the Mitigation Measures of this Initial Study are implemented.

Conclusion – Revised Project (2023)

The revised Project's implementation and operations would not have any additional, adverse significant impacts other than those mentioned in the original IS/MND. All applicable mitigations measures would remain in place as needed or required.

V. Cultural Resources

Cultural Resources	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

The Project specific Historical/Archaeological Resources Survey Report prepared by CRM Tech (June 2016) found no evidence of any settlement or land development activities on or near the Project area. No studies identified any cultural resources in or near the current Project area, nor did any other previous studies in the general vicinity.

There are no recognizable potential historic resources, as defined in Section 15064.5 of the CEQA Guidelines that would be adversely affected by the proposed Project. This includes any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant and no impacts are anticipated.

No other sites, features, artifacts, or built-environment of prehistoric or historic age were encountered within the Project area during the field survey. The study concludes that there are no archaeological resources that could be adversely affected by the proposed Project.

The Cabazon and San Manuel Tribes state, that the Tribes have no specific concern regarding this Project. The Agua Caliente and San Manuel Tribe's, requested copies of all cultural resource documentation, CRM Tech has fulfilled the request to both Tribe's. The San Manuel Band of Mission Indians recommends archaeological monitoring or limited monitoring be performed during ground disturbance and that the City's Conditions of Approval include a provision to contact their office in the event that Tribal cultural resources are discovered during construction activities. Less than significant impacts are expected following the recommended mitigation measure.

Per industry standards in the region, excavations deeper than 10-15 feet should be monitored by a qualified paleontological monitor. Less than significant impacts are expected to paleontological resources following the recommended mitigation measures.

There are no tribal cultural resources as defined by Public Resource Code 21074 on the Project site and less than significant impacts are expected following procedures established in the Mitigation Measures.

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

Conclusion – Revised Project (2023)

The revised Project would not require construction beyond what was anticipated in the original MND within the Project site, as all construction for the revised Project has already been completed. The overall square footage of the site is significantly reduced and no additional grading will be required. 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. Mitigation measures in place currently include: identifying and reporting human remains, fossil and paleontological monitoring, and the required notification to the City Planner and/or archeologist if any artifacts or culturally significant resources are discovered. Furthermore, if any Native American remains are discovered, the coroner shall contact by telephone within 24-hours of the Native American Heritage Commission. All mitigation measures remain the same in the revised Project.

Major revisions to the MND are not required 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

Energy	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)
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	X				

or energy efficiency??					
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Discussion

Summary of Findings in the IS/MND (2016)

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)

Operation of the revised Project would only create a small additional demand for electricity compared to the original project and would result in a small increase in transportation energy use.

Operation of the existing facility consumes electricity for various purposes, including, but not limited to heating, cooling, and ventilation of buildings, water heating, operation of electrical systems, security and control center functions, lighting, and use of onsite equipment and appliances.

The revised Project would consume transportation energy during operations from the use of motor vehicles related to the added distribution activity. It is expected that operation-related fuel usage associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than similar projects. Therefore, impacts would be less than significant with respect to operation-related fuel usage.

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 cultivation and distribution activities.

The revised Project does not demand any additional energy resources beyond the current energy usages which are listed below.

Current energy needs:

Daily - 4,539.60 kWh

Monthly – 136,188 kWh (Estimated)

Yearly – 1,634,256 kWh (Estimated)

While the revised Project would increase energy demands slightly, it 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*

Geology and Soils	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

Per the General Plan EIR No known active faults traverse the Project site or are found near it.

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. Less than significant impacts are expected.

Following compliance with standard conditions relative to geotechnical studies and seismic design requirements, less than significant impacts are expected.

Through the development review process of the proposed structures, a site-by-site analysis is required to assess building design and ensure that proposed structures meet existing regulations or applicable codes. Less than significant impacts are expected.

The hazard of land sliding is unlikely due to the relatively flat topography of the property; therefore, no impacts are expected relative to landslides.

The Project will be conditioned to comply with the recommendations and Design Criteria in the Project specific Geotechnical Analysis required as a Condition in the City's General Plan. Compliance with adopted procedures for grading and erosion will mitigate impacts associated with grading the site to less than significant with implementation.

The Project will be conditioned to comply with the recommendations and Design Criteria within the Project Specific Geotechnical Report required as a Condition of Approval. Less than significant impacts are expected.

The property is approximately 2.0 miles southwest of the Mission Creek Fault and 4.5 miles east of Whitewater Hill. Less than significant impacts are anticipated.

The proposed development will utilize a system of septic tanks and leech lines or seepage pits to dispose of wastewater. Design for the disposal systems shall comply with industry regulations. Less than significant impacts are expected.

Conclusion – Revised Project (2023)

The revised Project would not require any grading or construction beyond what has already been completed within the revised Project site. The overall square footage of project site has been significantly reduced, 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. Compliance with the most current State building codes and regulations and all 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

Greenhouse Gas Emissions	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

The construction related and operational emissions of Co2 equivalent are less than the SCAQMD interim threshold of 10,000 MT/year for industrial facilities. The proposed cultivation facility will add a new land use, and as a result, an increase in greenhouse gas emissions is expected.

The annual GHG emissions associated with the operation of the proposed cultivation facility is 4,740.1473 CO₂e per year. Direct and indirect operational emissions associated with the Project are compared with the SCAQMD threshold significance for industrial facilities Projects, which is 10,000 MTCO₂e per year. Therefore, less than significant impacts are expected.

The Project is consistent with current General Plan and zoning policies of Light Industrial (I-L) and is not anticipated to conflict with the plan and policies established under Assembly Bill 32, Senate Bill 375 or Senate Bill 97. 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. 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. After the existing mitigation measures, 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. 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

Hazards and Hazardous Materials	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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	X				

hazardous materials into the environment?					
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 (2016)

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.

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

To prevent a threat to the environment during construction, the management of potentially hazardous materials and other potential pollutant sources will be regulated through the implementation of control measures required in the Storm Water Pollution Prevention Plan (SWPPP) for the Project.

Consistent with the local codes regulating light industrial districts and medical marijuana facilities, all proposed cultivation operations would only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation operations and all marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation of medical marijuana. Less than significant impacts related to the routine transport, use or disposal of hazardous materials are expected.

The management of propane gas or diesel fuel as a utility service will occur in accordance with the National Fire Protection Association, Fuel Gas Codes and with the fire protection regulations. Any other use of potentially hazardous substances, is expected to occur in small quantities and managed on-site with the proper containment and facilities, as required by the industry standards.

Cultivation activities would involve plant treatment with organic fertilizers, insecticides, acaricides, fungicides, and other crop protection agents. These substances would be stored and applied according to the manufacturer's instructions to reduce the potential for incidental release or reactions. The application and management methods of fertilizers and crop protection agents would be required to comply with all manufacturer-specific instructions, precautionary requirements, and accidental release measures. In most cases, it would be a violation of Federal law to apply these products in a manner that is inconsistent with the instructions provided in each corresponding product labeling. The most common restrictions prohibit the products from being applied directly to water or areas where surface waters are present. Cleaning of equipment shall not result in water contamination. The products shall not be applied either in a way that come in contact with workers or other persons, directly or through drift. Only protected handlers may be present in the area during application. The application and management methods are also subject to requirements pertaining to training, decontamination, notification, and emergency assistance. Any wastes resulting from the use of this product may only be disposed in a landfill approved for pesticide or hazardous material disposal, or in accordance with the applicable federal, state or local procedures.

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.

To further minimize any potential public exposure to accidental risks, proper construction and safety measures will be implemented and temporary impacts during construction will be further mitigated by standard operational procedures and protocols as well as Best Management Practices (BMPs). Less than significant impacts are expected.

The Project is not located near an existing airport or airport land use plan.

The Project is not located in the vicinity of a private airstrip and no impacts are anticipated.

The proposed design would be subject to a standard review process by the Riverside County Fire Department to ensure that the site-specific emergency access, water pressure, and other pertinent criteria are met by the Project. Less than significant expected.

Although the Project site and its general surroundings are undeveloped with scattered vegetation, these conditions have not been recognized to meet the criteria of high or very high fire hazard zones. Wildland fire protection in California is the responsibility of either the State, local government, or the federal government. Local responsibility areas include incorporated cities where fire protection is typically provided by City fire departments, fire protection districts, counties, and by CAL Fire under contract to local government.

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 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 grading beyond what was accounted for in the MND would occur. As such, no new or more impacts related to hazards or hazardous materials would occur.

The revised facility will not include any hazardous materials, as defined by Health and Safety Code section 25260, that are stored, used, or disposed of at the project site.

The revised Project consists of an indoor marijuana cultivation facility, processing, and distribution facility that would involve cleaning compounds, sanitizing agents, fertilizers, and cultivation chemicals during operation.

As a result, the operator would be subject to manufacturer specifications and local, state, and federal regulations for the handling of such substances. These guidelines would protect against incidental release, injury, and/or contamination. Additionally, the project proponent would be required to provide onsite storage facilities and containers designed to contain and isolate these substances. Employees would also be required to receive training including safety rules to prevent personal and public risk. Solid waste produced by the proposed Project would be disposed of in designated containers per local, state, and federal regulations.

List of all chemicals/materials used in the facility:

Type	Liquid / Solid	Brand	Description	Quantity Per Pack	Usage Per Month	Avg On Hand Inventory (Montly)
Fertilizer	Liquid	Athena-Bloom A	Bloom	5 Gallon	20	20
Fertilizer	Liquid	Athena-Bloom B	Bloom	5 Gallon	20	20
Fertilizer	Liquid	Athena-Grow A	Grow	5 Gallon	5	5
Fertilizer	Liquid	Athena-Grow B	Grow	5 Gallon	5	5
Fertilizer	Liquid	Athena-PK	Bloom	5 Gallon	12	12
Fertilizer	Liquid	Athena-Cleanser	Clean Line	5 Gallon	8	8
Fertilizer	Liquid	Athena-CaMg	Core	5 Gallon	6	6
Pesticide	Liquid	Athena-IPM	IPM	5 Gallon	2	2
Cleanser / Sterilizer	Liquid	Clorox	Bleach	1 Gallon	10	20
Cleanser / Sterilizer	Liquid	I-Max	IPA	5 Gallon	1	3

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.

Furthermore, the revised Project will continue to be enclosed with a perimeter fence and a security guard during all hours of operation. The Proposed Project would have less than significant impacts related to the release of hazardous materials into the environment and no further mitigation measures are required, as there are no hazardous materials being used.

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. The Project will include the on-site fire protection facilities necessary to satisfy the local Fire Department requirements. No new impacts are expected.

Due to the lack of hazardous materials on site, major revisions to the MND are not required 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

Hydrology and Water Quality	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 a manner that would result in flooding on-site or off-site?	X				
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 (2016)

The proposed development will be required to comply with all Clean Water Act (CWA), National Pollutant Discharge Elimination System (NPDES), State Water Resources Control Board

(SWRCB), California Regional Water Quality Control Boards (RWQCBs), and City of Desert Hot Springs regulations.

The concurrent implementation of the required SWPPP and Dust Control Plan plans will prevent the potential construction-related impacts to water quality at the site and its surroundings, therefore resulting in less than significant impacts.

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. Less than significant impacts are expected with mitigation. Mitigation measures include the creation and enforcement of a Project-Specific Water Quality Management Plan (WQMP).

The Project site design is not expected to interfere with groundwater recharge conditions. Less than significant impacts are expected.

Following the implementation of an approved grading plan, the Project is not anticipated to alter the course of a stream or wash (Mission Creek) in a manner that would result in erosion or siltation on or off site. Following the mitigation measures (design objectives), less than significant impacts are expected related to the existing drainage patterns and erosion or siltation conditions.

The Project's required Water Quality Management Plan (WQMP) shall include detailed inspection, maintenance, record keeping, and implementation procedures for the proposed storm drain system and easterly edge conditions. As a result, the proposed Project and site design are not expected to alter existing drainage patterns of the area or result in any substantial increases in the rate or amount of surface runoff. Less than significant impacts are expected.

The grading design and improvement plans, which are subject to City review and approval, would ensure the Project's post development runoff flow rates, volumes, velocities, and durations does not exceed the pre-development condition and therefore would not result in impacts to the existing receiving drainages. Less than significant impacts relative to runoff water are expected.

The Project-Specific WQMP will identify the required maintenance practices necessary to ensure that the water quality facilities remain effective during the life of the Project. These include a maintenance covenant, inspection, and maintenance program, with regular monitoring for all proposed measures and devices. Less than significant impacts relative to the substantial degradation of water quality are expected.

The proposed improvement plans will be subject to agency review and approval ensure that the proposed grading and drainage conditions are acceptable to the City standards. No impacts relative to placing housing in a 100-year flood hazard area is expected.

The proposed improvement plans, subject to agency review and approval, will ensure that the proposed grading and drainage conditions are acceptable to the City standards. Less than significant impacts are expected.

The Project is expected to provide the appropriate site improvements to protect the proposed structure without increasing the risk of flooding. These improvements include flood barriers at each building entry and remedial grading/site design. Less than significant impacts are expected relative to substantial erosion or siltation on or offsite.

The proposed site plan includes retention facilities sized to contain the worst-case scenario runoff volume difference between pre- and post-development conditions. Only flows in excess of the Project's retention requirements would be allowed to exit the Project area, therefore, less than significant impacts are expected.

Conclusion – Revised Project (2023)

Water Source: Mission Springs Water District.

Wastewater: All wastewater will be filtered and disposed by Mission Springs Water District.

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

The additional “use” and revisions to the Project would not cause any new significant impacts. 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

Land Use and Planning	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)
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 (2016)

The proposed Project is consistent with the surrounding land uses and the city's Land Use and Zoning designations. There are no established communities in the Project vicinity and thus no communities will be divided. Therefore, no impacts relative to the division of an established community are expected.

The Project site is largely segregated from the City's intense residential and commercial uses and is consistent with the City's General Plan land use designation. The Project'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 Project is expected to comply with all required plan provisions and pay the required mitigation fee to achieve consistency with the CVMSHCP, and less than significant impacts are expected.

Conclusion – Revised Project (2023)

Major revisions to the MND are not required 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

Mineral Resources	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

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

The proposed Project is located near two regional drainages (Upper Mission Creek and Big Morongo Wash), which are located within conservation areas of the CVMSHCP and therefore will not be disturbed by the Project. Less than significant impacts are expected.

Conclusion – Revised Project (2023)

Major revisions to the MND are not required 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

Noise	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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	X				

project expose people residing or working in the project site to excessive noise levels?					
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 (2016)

The Project will involve operations contained in the proposed buildings. As mandated by the local zoning ordinance, all cultivation operations of the Project shall be conducted in the interior of enclosed structures, facilities, and buildings. All cultivation operations, including materials management, will occur indoors and within the fenced limits. Some routine activities that can increase noise levels are expected to occur outside of the building. These activities 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 (generator and fuel tanks, chillers, septic 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.

The routine operation of vehicles accessing the Project would cause an incremental increase in groundborne vibration, but not in levels that would be deemed inconsistent with the existing industrial setting or excessive in nature, such that would impact residential uses. Less than significant impacts related to excessive groundborne vibration noise levels are expected.

Noise resulting from the Project operations is anticipated to be largely contained in the proposed structures, while noise resulting from traffic noise caused by the Project is not expected to substantially increase the current ambient levels in a way that would impact sensitive receptors. Less than significant impacts related to permanent increase in ambient noise levels are expected.

Construction activities would take place within the designated hours established by the City of Desert Hot Springs. Less than significant impacts related to temporary or periodic ambient noise levels are expected.

The Project is located approximately 11.4 miles north of the Palm Springs International Airport and is not located within its airport land use plan. No impacts are expected to result related to

Projects located within an airport land use plan. The Project is not located within the vicinity of a private airstrip. No impacts are expected to result the Project located in the vicinity of a private airstrip and no mitigation measures are required.

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 vehicles.

The additional “use” and updates 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

Population and Housing	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 housing elsewhere?	X				

Discussion

Summary of Findings in the IS/MND (2016)

The Project does not have a residential component and improvements to roads and other infrastructure will be associated with the cultivation facility and would not induce substantial growth to the area. Less than significant impacts are expected.

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

As mentioned above, the site has a light industrial land use and zoning designation and is currently undeveloped, vacant desert land. The Project does not propose any residential uses that would necessitate the construction of replacement housing. No impacts are expected.

Conclusion – Revised Project (2023)

Revised distribution activities within the facility are not expected to create a significant impact.

Major revisions to the MND are not required 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)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 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:	X				
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 (2016)

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. Additionally, the Project would be required to implement all applicable and current California Fire Code Standards. This would include installation of fire hydrants as well as sprinkler systems inside the buildings. Furthermore, the Project will be reviewed by City and Fire officials to ensure adequate fire service and safety as a result of Project implementation. The Project will also be required to comply with the City’s Development Impact Fees (DIF) to assist with the funding of public facilities and services, including fire, therefore, less than significant impacts are expected.

Police Protection

Security measures have been thoroughly incorporated into the Project. 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. As a standard condition, the Project will be required to comply with the City’s Development Impact Fees to assist with funding of public facilities and services, including police. Less than significant impacts are expected.

Schools

The Project will not add to the demand of school services, as a standard condition, the Project proponent will pay the required developer fee in place at the time of permits to the PSUSD. Additional applicable development fees may be required to assist in offsetting impacts to school facilities. 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. No impacts are expected to parks.

The development of the proposed project will have no impact on other public facilities.

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 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

Recreation	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

No residential land uses are proposed and employment generated by the Project would not cause a substantial increase to the existing neighborhoods or regional parks. No impacts related to the increase use of existing neighborhood and regional parks or other recreational facilities are expected.

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 smaller in scale than what was described in the original MND, the revised Project would not result in impacts related to recreational facilities in the city.

Major revisions to the MND are not required 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

Transportation	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 management agency for designated roads or highways?	X				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in	X				

location that results in substantial safety risks?					
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 (2016)

Following implementation of Standard Conditions, the Project is not anticipated to conflict with an applicable plan, ordinance or Policy establishing measures of effectiveness for the performance of the circulation system. Less than significant impacts are expected.

Traffic resulting from the small-scale operations at the proposed cultivation facility in compliance with the General Plan is not anticipated to individual or cumulatively contribute to an exceedance of a level of service standard established in the CMP. Impacts are expected to be less than significant.

The Project is not located within proximity to an airport and therefore would not result in impacts to air traffic patterns. No impacts are expected.

The Project will not include sharp curves or dangerous intersections. No incompatible uses will result from the proposed Project. Impacts are expected to be less than significant.

The Project is anticipated to result in less than significant impact related to emergency access.

Project implementation is not anticipated to interfere with the existing service or performance at bus stop facilities. Less than significant impacts are anticipated.

The proposed Project would improve pedestrian mobility by incorporating pedestrian sidewalks along the frontage of Little Morongo Road (outside of the proposed property fencing), where

currently none exist. The widening and improvements of the roadways do not include bicycle lanes however improvements resulting from the Project are expected to enhance, rather than obstruct or conflict with, the City's established goals on bicycle transportation or with any existing facilities. Less than significant impacts are expected.

Conclusion – Revised Project (2023)

Operation of the revised Project will not result in an increased rate of traffic. Any associated traffic is due in part to the employees associated with the additional distribution activity, which has been added as a new “use.”

The revised Project would not result in a large increase in traffic levels compared to the existing developed condition. Furthermore, 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 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

Tribal Cultural Resources	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 (2016)

The original IS/MND did not analyze tribal cultural resources, therefore we have no information to analyze.

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 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

Wildfire	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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				
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Discussion

Summary of Findings in the IS/MND (2016)

Wildfire risks were not analyzed in the original IS/MND.

Conclusion – Revised Project (2023)

The revised Project will not add any additional wildfire risks. 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 revised Project, meeting and exceeding all local Fire Department requirements.

XX. Utilities and Service Systems

Utilities and Service Systems	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring 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 facilities, the construction of which could cause significant environmental effects?	X				
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	X				

provider's existing commitments?					
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 (2016)

The Project proposes a series of septic systems for onsite wastewater disposal. Wastewater is expected to be minimal and would not 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.

The wastewater from individual buildings is expected to be minimal and easily accommodated by the individual septic tanks. The operation and construction of these facilities will comply with the requirements of the State Regional Water Quality Control Board and Riverside County Health Department along with MSWD and the City. Therefore, less than significant impacts are expected.

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.

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 24-inch and 16 inch water mains along Little Morongo Road. 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.

The wastewater from individual buildings is expected to be minimal and easily accommodated by the individual septic tanks. The operation and construction of these facilities will comply with the requirements of the State Regional Water Quality Control Board and Riverside County

Health Department along with MSWD and the City. Less than significant impacts to wastewater treatment are expected.

Solid waste generated by a medical marijuana cultivation facility would be minimal. Less than significant impacts to solid waste are expected.

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. 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. Wastewater is filtered and disposed of by Mission Springs Water District.

Water and Wastewater Usage per Month at the Facility:

Water used per month – 500,000 gallons

Wastewater disposed on-site per month – 500 gallons

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.

Less than significant impacts to solid waste are expected. The revised Project will not increase the quantity and type of solid waste, as defined by Public Resources Code section 40191, or hazardous waste, as defined by Health and Safety Code section 25117, that is generated or stored onsite to a level that would have any significant impacts. All solid waste generated at the facility is expected to comply with federal, state, and local statutes and regulations related to solid waste.

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 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

Mandatory Findings of Significance	No Impact	Minor Technical Change or Addition	Substantial Project Change or Modification (Not sufficient for CEQA compliance)	Substantial Change in Circumstances Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)	New Information of Substantial Importance Requiring Subsequent or Supplemental MND or EIR (Not sufficient for CEQA compliance)
a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	X				

<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>	X				
<p>c. Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?</p>	X				

Conclusion

Major revisions to the MND are not required 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 changes to the Project proposed by the Applicant would not result in a change to the impact evaluation in the IS/MND.

8.0 FINAL CONCLUSIONS

The original Project resulted in potentially significant impacts to biological resources, cultural resources, and hydrology / water quality. 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.

Changes and proposed updates to the Project would not be considered substantial, furthermore, the revised Project results in a significantly reduced environmental footprint compared to the original Project. 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 or less than 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.

9.0 SOURCES

- Chloroplant, Inc. Application Materials and Operational Documentation
- The City of Desert Hot Springs - Conditional Use Permit 12-16
- Initial Study and Mitigated Negative Declaration – Merj, LLC
- City of Desert Hot Springs Comprehensive General Plan, adopted September 5, 2000
- City of Desert Hot Springs Municipal Code
- Riverside County General Plan (RCIP), adopted October 7, 2003
- Mission Springs Water District Urban Water Management Plan, June 2011

Special Studies

- Biological Analysis, prepared by Jim W. Cornett, Ecological Consultants, June, 2016
- Historical/Archaeological Resources Survey, prepared by CRM TECH, May, 2016
- Conceptual Hydrology Report, prepared by MSA Consulting, Inc., May, 2016