

Draft Initial Study and Mitigated Negative Declaration

Conditional Use Permit 05-16
SRP RE LLC
Marijuana Cultivation Facilities

Prepared for:

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



Prepared by:

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CHAPTER ONE – INTRODUCTION

1.1 Purpose and Authority

This Initial Study and Mitigated Negative Declaration have been prepared for the development of Conditional Use Permit (CUP) 05-16, SRP RE LLC Marijuana Cultivation Facilities (Proposed Project) in accordance with Section 17. On October 21, 2014, the City of Desert Hot Springs adopted Ordinance No. 552 and 553 pertaining to the regulation of medical marijuana facilities. Ordinance No. 552 is codified in Chapter 5.50 and Ordinance No. 553 is codified in Chapter 17.180 of the Desert Hot Springs Municipal Code. The facilities permitted under these ordinances include medical marijuana dispensaries and medical marijuana cultivation facilities that are owned and operated by bona fide non-profit organizations, such as cooperative or a collective. These facilities are subject to the provisions of the Compassionate Use Act of 1996 (California Health and Safety Code Sections 11362.7 through 11362.83), the California Attorney General's Guidelines for the Security and Non-Diversion of Marijuana Growth for Medical Use (issued in August 2008), and any future state laws pertaining to cultivating and dispensing medical marijuana, such as State Assembly Bill 266 (AB 266), if adopted.

The City of Desert Hot Springs allows for the cultivation of marijuana for medical use within Industrial Districts with approval of a CUP and Medical Marijuana Regulatory Permit. The Proposed Project is located on a qualifying Light Industrial (I-L) District. Medical marijuana cultivation is only permitted in the interior of enclosed structures, facilities, and buildings. Cultivation operations, including all marijuana plants at any stage of growth, shall not be visible from the exterior or any structure, facility or building containing cultivation of medical marijuana.

The Proposed Project consists of the construction of a steel frame building on approximately 1.07 acre for the indoor cultivation of medical marijuana. The building footprint would be approximately 22,680 square feet, covering 0.49 acres. Building dimensions would be 23 feet 2 inches tall, 104 feet wide, and 210 feet 6 inches long. The cultivation building would be constructed of prefabricated metal materials with architectural detailing. The exterior color of the building would be Sherwin Williams 6625 certain peach, with Capistrano eagle tile on the roof, and terracotta veneer tile accents along the frontage and west side of the building. Ten, 24-inch, 70-watt light-emitting diode (LED) lights would be located along the exterior wall. The facility would include a total of 15 parking stalls and a 6-foot tall wrought iron perimeter security fence. Parking would be provided along the north-south drive adjacent to the building, perpendicular to Two Bunch Palms Drive. Drainage would be retained on the south side of the site. The project would be constructed over a period of six to seven months.

This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq. The City of Desert Hot Springs would serve as the lead agency pursuant to CEQA.



1.2 Determination

This Initial Study determined that development of the Proposed Project would not have a significant impact on the environment, with the implementation of mitigation measures (see Table 2-1 in Section 2.3, below). A Mitigated Negative Declaration is proposed.

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

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

1.4 Public Review Process

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



CHAPTER TWO – PROJECT DESCRIPTION

2.1 Project Vicinity

The Proposed Project is located on 1.07 acres of undisturbed desert land east of the corner of Two Bunch Palms Trail and Little Morongo Road, in the City of Desert Hot Springs, California.

Total Project Area: 1.07 acres

Assessor's Parcel Number: 665-030-051

Section, Township & Range Description or reference:

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

The project property of approximately 1.07 acres is located east of the southeast corner of Two Bunch Palms Trail and Little Morongo Road. The land is currently in an undisturbed state with scattered creosote bush scrub vegetation. Soils are generally sandy and consist of Carasitas fine sand and Myoma find sand. Topographically, the site is relatively flat, sloping slightly from northwest to southeast. There are no prominent topographic features or visual landmarks on the project site or its surroundings. Land immediately to the north of the project site is undeveloped with conditions similar to those found on the project site, this land is the proposed site for the Coachella Valley Patient's Collective (Selan) facility for the cultivation of medical marijuana. The project site is bounded by Two Bunch Palms Trail to the north, open land to the west, and industrial development along the eastern and southern borders.

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





Figure 2-1. Project Vicinity

2016-052 SRP RE LLC Marijuana Cultivation Facility



Location: N:\2016\2016-052 IS and Supporting Tech Studies\WAPS\Location_Vicinity\MICE_Location.mxd (Aaguirre)-mapping_quest 3/16/2016

Map Date: 3/16/2016
Photo Source: NAIP 2014

Figure 2-2. Project Location CUP 05-16

2016-052 SRP RE LLC Marijuana Cultivation Facility

2.2 Project Description

The Proposed Project consists of the construction of a steel-frame building on approximately 1.07 acres for the indoor cultivation of medical marijuana. The building footprint would be approximately 22,680 square feet, or 0.49 acre. Constructed of prefabricated metal materials with architectural detailing, the building would be 23 feet 2 inches tall, 104 feet wide, and 210 feet 6 inches long. The exterior color of the building would be Sherwin Williams 6625 certain peach, with Capistrano eagle tile on the roof, and terracotta veneer tile accents along the frontage and west side of the building. Ten 24-inch 70-watt LED lights would be along the exterior wall. The facilities would include a total of 15 parking stalls and a 6-foot tall wrought iron perimeter security fence. Parking would be provided along the north-south drive, perpendicular to Two Bunch Palms Trail.

The project includes a Conditional Use Permit and a Development Agreement. Approval of these entitlements would 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 and any future laws that may be enacted.

The cultivation building is single-story with a maximum height of 23 feet 2 inches. Enhanced architectural treatments are proposed to promote an improved building aesthetic from the adjoining public streets. To achieve this, all metal building façade facing Two Bunch Palm Trail would be augmented with terracotta tile detailing and sculpted exterior trim to create visual interest from the street. The overall architectural character would be that of an attractive, well-maintained industrial building. As required by City ordinance, the facility would include sufficient odor absorbing ventilation and exhaust systems.

Landscaping has been designed to balance aesthetic, water use and security objectives. Along Two Bunch Palm Trail and Little Morongo Road, landscaping would consist of low level plantings and wrought iron security fencing to visually enhance, protect and blend the cultivation facility into its surroundings while also promoting visibility by law enforcement vehicles from the street. The balance of the cultivation facility will be landscaped with drought-tolerant ground covering plantings as approved by the City of Desert Hot Springs. Landscaping would also include large drought-tolerant flowering trees and shrubs typically found in the region. Plant irrigation would use drip or micro-spray applicators to avoid overwatering and promote water efficiency.

Security measures have been thoroughly incorporated into the project. The site is entirely enclosed within perimeter security fencing. Gated and continuously manned entry/exit drives would control vehicular access onto and off the property. As required by City ordinance, the security plan would also include security cameras, alarms, and a licensed security guard.



Operations would be similar to that of a standard retail nursery and does not include onsite sales. Hours would be consistent with Municipal Code Chapter 5.50. Medical marijuana facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. There would be no general public access to the facility at any time. All staff would be subject to thorough background checks in accordance with City regulations. Inbound deliveries would include such materials as fixtures and equipment, irrigation supplies, and soil amendments. Deliveries would typically be made with cargo vans or small box truck type delivery vehicles. All finished product would be package and loaded onto vehicles within the secure perimeter fence area. All deliveries, both inbound and outbound, would occur during the operating hours designated in the Municipal Code (8:00 am to 10:00 pm).

The project site plan is shown below in Exhibit 2-3.



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2.3 Mitigation Monitoring Program

Mitigation measures are included within each section of the Initial Study Checklist that has an identified potentially significant impact and are provided below. Table 2-1: Mitigation Monitoring Program outlines the potential impacts and mitigation measures of the Proposed Project, and assigns responsibility for the oversight of each mitigation measure. This table shall be included in all bid documents and included as a part of the project development.



**Table 2-1
Mitigation Monitoring Program**

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
4. Biological Resources	B-1: The developer shall ensure that the applicable CVMSHCP Local Development Mitigation Fee is paid to the City of Desert Hot Springs. The time of payment must comply with the City's Municipal Code (Chapter 3.40).	Developer	Prior to building permits	Less than significant
	B-2: A preconstruction survey shall be conducted for the special-status plant species that have been identified to have high to moderate potential to occur and are not covered by the CVMSHCP (the chaparral sand-verbena). The survey shall be conducted according to the CNPS Botanical Survey Guidelines (CNPS 2001). The survey shall be conducted during a normal rain years and during the appropriate time of year required for identification of the species (February-May for most Colorado Desert species, including Chaparral sand verbena). If the surveys are conducted during an uncharacteristically low rain year or outside of the appropriate blooming periods for the target species the results may be rejected by CDFW. If special-status plants, not covered by the CVMSHCP, are found on the Project site then CDFW shall be consulted to discuss appropriate mitigation measures. Mitigation measures could include, but are not limited to, seed collection and/or transplanting.	Developer Planning Department Biological Surveyor	Prior to issuance of grading permit, as indicated.	Less than significant



Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	B-3: Preconstruction surveys for burrowing owl shall be conducted. The surveys shall follow the methods described in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012). Two surveys shall be conducted, with the first survey scheduled between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and second survey conducted no more than 24-hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows are identified on the Project site during the survey, the methods listed in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012) shall be followed for avoidance and/or passive relocation, in consultation with CDFW.	Developer Planning Department	Prior to issuance of grading permit, as indicated	Less than significant
	B-4: A preconstruction survey for desert kit fox shall be conducted. If possible this survey can be conducted in conjunction with the preconstruction burrowing owl survey. There are no specific guidelines for desert kit fox; CDFW usually recommends that the survey follow the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). If desert kit fox and/or suitable desert kit fox dens are identified on the Project site during the preconstruction survey, the Project shall proceed to follow the USFWS guidelines for avoidance, exclusion, and/or passive relocation, in consultation with CDFW.	Developer Planning Department	Prior to issuance of grading permit, as indicated	Less than significant
	B-5: If construction or other ground-disturbing activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The survey shall be completed no more than 14 days prior to initial ground	Developer Planning Department	Prior to issuance of grading permit, as indicated	Less than significant



Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	disturbance. The nesting bird survey shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.			
5. Cultural Resources	CR-1: If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the Applicant shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Agua Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.	Planning Department Qualified Archaeologist	During grading and other ground disturbing activities	Less than significant
	CR-2: The applicant shall ensure that any excavations deeper than 10 feet shall be monitored by a qualified paleontological monitor. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other approved curation facility.	Planning Department Qualified Paleontologist	During construction for excavations greater than 10 feet in depth.	Less than significant.



Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
5. Cultural Resources	CR-3: In the event that any human remains are discovered, the Applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the City of Desert Hot Springs Police Department. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).	Planning Department	During grading and other ground disturbing activities	Less than significant



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CHAPTER THREE – ENVIRONMENTAL CHECKLIST

1. **Project Name:** SRP RE LLC Marijuana Cultivation Facilities
2. **Lead Agency Name and Address:**
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240
3. **Contact Person and Phone Number:**
Craig A. Ewing
Consulting Planner
760-329-6411, Ext. 262
4. **Project Location:**
East of the southeast corner of Little Morongo Road and Two Bunch Palms Trail. See Figure 2-1.
5. **Project Applicants' Name and Address:**
Domingo Moya
SRP RE LLC
2506 Ludcam Road
Miami, FL 33155
6. **General Plan Designation:** Light Industrial
7. **Zoning Designation:** Light Industrial
8. **Description of Project:** To process a Conditional Use Permit and Development Agreement to construct a medical marijuana facility specifically limited to cultivation. No processing or manufacturing of product is proposed. The Proposed Project would develop a 22,680-square-foot cultivation building on 1.07 acres of undeveloped desert land.
9. **Surrounding Land Uses and Setting:** Two Bunch Palms Trail and vacant land to the north, vacant land to the west, and industrial development to the east and south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** None.



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources/Tribal Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation /Traffic | <input type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION

On the basis of this initial evaluation:

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

Craig A. Ewing
Consulting Planner

Date



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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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



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- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resource Code section 122220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the exiting environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



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- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



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V. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES-- Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in §21074? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VI. GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



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

☐ ☐ ☒ ☐

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

☐ ☐ ☐ ☒

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

☐ ☐ ☐ ☒

VII. GREENHOUSE GAS EMISSIONS – Would the project:

a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?

☐ ☐ ☒ ☐

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

☐ ☐ ☐ ☒

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

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

☐ ☐ ☒ ☐

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

☐ ☐ ☒ ☐

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

☐ ☐ ☐ ☒



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

☐ ☐ ☐ ☒

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

☐ ☐ ☐ ☒

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

☐ ☐ ☐ ☒

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

☐ ☐ ☐ ☒

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?

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

a) Violate any water quality standards or waste discharge requirements?

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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be 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 which would not support existing land uses or planned uses for which permits have been granted)?

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- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. LAND USE AND PLANNING - Would the project:

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



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b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

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c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

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XI. MINERAL RESOURCES -- Would the project:

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?

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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?

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XII. NOISE – Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

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

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f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

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XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

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XIV. PUBLIC SERVICES

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

i) Fire protection?

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ii) Police protection?

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iii) Schools?

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iv) Parks?

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v) Other public facilities?

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XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

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XVI. TRANSPORTATION/TRAFFIC -- Would the project:

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 transits.

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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?

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c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

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

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e) Result in inadequate emergency access?

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f) Result in inadequate parking capacity?

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g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of safety of such facilities.

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XVII. UTILITIES AND SERVICE SYSTEMS
– Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

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b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

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

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f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

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g) Comply with federal, state, and local statutes and regulations related to solid waste?

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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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, 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?

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b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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CHAPTER FOUR – DISCUSSION OF ENVIRONMENTAL IMPACTS

This section provides explanation and justification of the Initial Study Checklist found in Chapter Three. The Proposed Project would have a less than significant impact on the environment, with the implementation of mitigation measures as proposed as part of this review.

1. AESTHETICS

- a) *Would the project have a substantial adverse effect on a scenic vista?*

Less Than Significant. The Proposed Project would be located within a partially developed area with a light industrial zoning and General Plan designation in the City of Desert Hot Springs. The project would be located east of the southeast corner of Little Morongo Road and Two Bunch Palms Trail. The City of Desert Hot Springs General Plan Light Industrial designation allows for business parks and the development of industrial uses entirely in enclosed buildings (City of Desert Hot Springs 2000). It also allows for medical marijuana cultivation as a conditional use. The Proposed Project would be consistent with this designation while being subject to additional development and operational restrictions set forth by the Desert Hot Springs Municipal Code Chapters 5.50 and 17.180.

The project area and vicinity would be located in an area separate from the City of Desert Hot Springs residential and commercial districts. Existing land uses in the vicinity of the project area include automotive repair shops, a pool supply store, religious facilities, vacant lots, among other light industrial uses. The visual character of the district can be described as an industrial setting with parcels of undisturbed vacant land. The Proposed Project property has distant and partially obstructed views of the Santa Rosa Mountains toward the south. Views of the San Jacinto Mountains and San Bernardino Mountains toward the southwest and west are partially obstructed by overhead utility lines. No designated scenic vistas are in the vicinity of the site.

The Proposed Project consists of an industrial steel-framed cultivation building, with surrounding parking within fenced property limits. The maximum height of the cultivation buildings would be approximately 24 feet, with the proposed security fencing having a height of 8 feet. The building materials would be in earth tones with tile accents and desert landscaping. The Proposed Project features would blend with the existing setting and are not anticipated to adversely alter the existing viewshed of any scenic vistas and no mitigation measures are required.



- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Less Than Significant. The project site is characterized as vacant land, predominantly flat with scattered vegetation, mostly consisting of creosote bush scrub. There are no noticeable topographic features or landmarks within the project site or its surroundings. The project site does not contain any landmarks such as trees, rock outcroppings that would be adversely affected by the Proposed Project.

The California Scenic Highway Program protects and enhances the scenic beauty of California's highways and adjacent corridors. A highway can be designated as scenic based on how much natural beauty can be seen by users of the highway, the quality of the scenic landscape, and if development impacts the enjoyment of the view. In the Desert Hot Springs area, State Route 62 is a designated State Scenic Highway, and Interstate 10 has been designated as a County-eligible scenic highway (Caltrans 2016; Riverside County 2015). The Project is more than three miles from either of these scenic corridors and would not be visible. The project site is located adjacent to Two Bunch Palms Trail and east of Little Morongo Road, which are not designated as scenic corridors or routes. The Proposed Projects site plan and architectural and landscape features would not result in adverse impacts to scenic resources within a state scenic highway or other local transportation corridor and no mitigation measures is required.

- c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

Less Than Significant. The Proposed Project consists of a marijuana cultivation facility located within a light industrial zoning district of the City of Desert Hot Springs. The building is a steel-framed building with soft desert colors and tile accents. The site plan includes parking, desert landscaping, and fencing. The Proposed Project would comply with the City of Desert Hot Springs land use standards and municipal code. Marijuana cultivation would only be conducted in the interior of the facilities. These operations, per the municipal code, would not be visible at any stage from the exterior of the facilities. The visual character of the Proposed Project would be consistent with the light industrial zoning designations. The Proposed Project would not significantly impact the existing visual character or quality of the site and its surroundings and no mitigation measures are required.



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

Less Than Significant. The Proposed Project would be located on vacant undeveloped land with no current sources of glare or light. The property to the north of the project site is currently vacant and undeveloped, but is the proposed site for another medical marijuana cultivation facility. The property to the west of the site is also undeveloped. The developed properties to the east and south of the project site have lighting fixtures installed on the buildings for nighttime illumination and security purposes.

The construction materials for the proposed facilities would not have highly reflective properties. To comply with the requirements found in Municipal Code 5.50, the Proposed Project would incorporate outdoor illumination for nighttime safety and facility security. The proposed lighting would be required to comply with the City of Desert Hot Springs Outdoor Lighting Standards, which requires new lighting to preserve low ambient lighting levels while maintaining security considerations (Municipal Code 17.40.170). Although new sources of light and glare would be included with the Proposed Project, they would not be substantial and would not adversely affect day or nighttime views in the area and no mitigation measures are required.

2. AGRICULTURE

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

No Impact. The California Farmland Mapping and Monitoring Program, Important Farmlands Map for Riverside County does not list the soils on the project site as Prime Farmland or Farmland of Statewide Importance (CDC 2015). The soils on the project site are listed as Other Land. Examples of Other Land include low density rural developments, brush, timber, wetland, and reparation areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development greater than 40 acres is mapped as other land. Therefore, the Proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use and no mitigation measures are required.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?*

No Impact. The Proposed Project is not located in an agricultural use zone nor is it subject to a Williamson Act Contract. Therefore, the Proposed Project would



not conflict with existing zoning for agricultural use or a Williamson Act Contract and no mitigation measures are required.

- c) *Would the project involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland to non-agricultural use?*

No Impact. The Proposed Project is located on vacant undisturbed land zoned as light industrial within the City of Desert Hot Springs. Areas to the north and west of the project site are currently vacant. Areas to the south and east of the project site are currently light industrial uses. These areas are not zoned as forest land, timberland, or timberland production. The Proposed Project would not conflict with the rezoning of forest land, timberland, or timberland production and no mitigation measures are required.

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

No Impact. The Proposed Project is located within the City of Desert Hot Springs within an existing light industrial setting. The surrounding areas consist of vacant desert land and light industrial uses. The Proposed Project would not cause the loss of forest land or conversion of forest land and no mitigation measures are required.

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

No Impact. The project site and the surrounding properties are not currently used for agriculture and are not within forest land. The Proposed Project would not result in the conversion of farmland or forest land. No mitigation measures are required.

3. AIR QUALITY

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

No Impact. The Project site and the Coachella Valley are located in the northern region of the Salton Sea Air Basin (SSAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Currently, state and federal air quality standards are exceeded in most parts of the SSAB. In response, the SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The most recent AQMP was adopted by the SCAQMD Governing Board on December 7, 2012. The 2012 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections



from local general plans adopted by cities in the district are provided to the Southern California Association of Governments (SCAG), which develops regional growth forecasts; these are then used to develop future air quality forecasts for the AQMP. Development consistent with the City of Desert Hot Springs General Plan is considered to be consistent with the AQMP. The Proposed Project is located in a Light Industrial General Plan designation, and is consistent with the requirements of that designation. Therefore, the Proposed Project is considered to be consistent with the 2012 AQMP and would not conflict with or obstruct implementation of the Plan. No mitigation measures are required.

- b) *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Less Than Significant. The SCAQMD has developed regional and localized significance thresholds for regulated pollutants, as summarized in Table 3-1. The SCAQMD's CEQA Air Quality Significance Thresholds indicate that any projects in the SSAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

**Table 3-1
Maximum Daily Emissions Thresholds**

Pollutant	Construction Threshold (lbs/day)	Operations Threshold (lbs/day)
Regional Thresholds		
NO _x	100	100
VOC	75	75
PM ₁₀	150	150
PM _{2.5}	55	55
SO _x	150	150
CO	550	550
Lead	3	3
Localized Thresholds		
CO	2,987 (site preparation)	2,987
	2,565 (grading)	
NO _x	267 (site preparation)	267
	238 (grading)	
PM ₁₀	40 (site preparation)	13
	35 (grading)	
PM _{2.5}	11 (site preparation)	3
	10 (grading)	

Notes: NO_x = nitrogen oxides; VOC = volatile organic compounds; PM₁₀ = particulate matter less than 10 microns in diameter; PM_{2.5} = particulate matter less than 2.5 microns in diameter; CO = carbon monoxide



Construction activities associated with the Project will result in emissions of CO, VOCs, NOx, SOx, PM₁₀, and PM_{2.5}. Construction related emissions are expected from the following construction activities:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating
- Construction Workers Commuting

The estimated maximum daily construction emissions are summarized in Table 3-2. Emissions resulting from Project construction would not exceed the applicable SCAQMD thresholds of significance for any criteria pollutant. Therefore a less than significant impact would occur and no mitigation measures are required.

Table 3-2
Summary of Construction Emissions (lbs/day)

	VOC	NOx	CO	SOx	PM ₁₀	PM _{2.5}
Project Emissions	11.06	29.04	19.48	0.03	8.22	4.83
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Operational activities associated with the Proposed Project would result in emissions of Reactive Organic Gases (ROG), NOx, CO, SOx, PM₁₀, and PM_{2.5}. Estimated maximum peak operational emissions are summarized in Table 3-3. Emissions resulting from Project operations would not exceed applicable SCAQMD thresholds and a less than significant impact would occur. No mitigation measures are required.

Table 3-3
Summary of Operational Emissions (lbs/day)

	VOC	NOx	CO	SOx	PM ₁₀	PM _{2.5}
Project Emissions – Summer Scenario	1.20	2.27	7.38	0.02	1.53	0.44
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
Project Emissions – Winter Scenario	1.18	2.36	6.80	0.02	1.53	0.44
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

The analysis also considers the SCAQMD Localized Significance Thresholds (LSTs). The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as LSTs. The SCAQMD established LSTs in response to the SCAQMD Governing Board's Environmental Justice Initiative I-42. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent



applicable federal or state ambient air quality standard at the nearest residence or sensitive receptor. The SCAQMD states that lead agencies can use the LSTs as another indicator of significance in its air quality impact analyses. The nearest sensitive receptor, where an individual can remain for 24 hours, is the residential community located approximately 328 feet (100 meters) northwest of the Project site. As such, a 100 meter receptor distance has been used to determine the LSTs for emissions of NO_x, CO, PM₁₀, and PM_{2.5}. Because the total acreage that would be disturbed is less than 5 acres per day for both the site preparation and grading phases, SCAQMD's screening look up tables were used in determining impacts. As shown in Table 3-4, neither construction nor operations emissions would exceed the LST. Therefore, the Project would have a less than significant localized impact and no mitigation measures are required.

**Table 3-4
Summary of Localized Significance Analysis**

	NO _x	CO	PM ₁₀	PM _{2.5}
Construction – Site Preparation (lbs/day)	31.23	18.36	3.13	1.59
SCAQMD Threshold	267	2,987	40	11
Threshold Exceeded?	No	No	No	No
Construction – Grading (lbs/day)	30.76	20.24	8.28	4.96
SCAQMD Threshold	238	2,565	35	10
Threshold Exceeded?	No	No	No	No
Operations	0.11	0.37	0.08	0.02
SCAQMD Threshold	2,987	267	13	3
Threshold Exceeded?	No	No	No	No

- c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Less than Significant. As discussed above, Project-related construction and operation emissions are not expected to exceed the SCAQMD regional or localized significance thresholds. Therefore, the Proposed Project would not result in a cumulatively considerable increase of any criteria pollutant. Additionally, the Project would be consistent with the 2012 AQMP. A less than significant contribution to cumulative air quality impacts would occur. No mitigation is required.



- d) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less than Significant. As discussed in Question 3b), above, LSTs are designed to identify impacts to sensitive receptors. The nearest sensitive receptors are located approximately 328 feet (100 meters) northwest of the Project site. Project construction and operations emissions would be below the LSTs. Impacts would be less than significant and would not require mitigation.

- e) *Create objectionable odors affecting a substantial number of people?*

Less Than Significant. The Project site is located in an area designated as Light Industrial by the General Plan and is located away from the City's residential and commercial zones. The closest sensitive receptor is a residence located approximately 328 feet northwest of the site. Odors associated with marijuana cultivation are mandated to be controlled by Municipal Code Chapters 5.50 and 17.80. All medical marijuana cultivation activities are only allowed in the interior of enclosed structures, facilities, and buildings. The project operator must provide the necessary odor control, ventilation, and filtration systems for the structures sufficient to ensure that City requirements for odor control are met. As a result, the project is expected to result in minimal odors and a less than significant impact would occur. No mitigation measures are required.

4. BIOLOGICAL RESOURCES

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

Less than Significant with Mitigation: A Biological Resources Assessment was conducted for the Proposed Project in March 2016 (ECORP 2016a). The Project site is located in an area that is covered by the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), which was finalized in February 2006. However, soon after the finalization of the plan, the City of Desert Hot Springs voted to not approve the plan and directed that Desert Hot Springs be removed as a Permittee. In October 2007, The City decided to reconsider their original decision to opt-out of the plan, and voted unanimously to approve a Memorandum of Understanding (MOU) that stated that they would like to enter into negotiations for joining the CVMSHCP as a Permittee after the plan was officially adopted (CVCC 2014). The MOU was subsequently approved by the Coachella Valley Conservation Commission (CVCC), the Coachella Valley Association of Governments (CVAG), and the County of Riverside in February 2008, and the Final Supplemental Environmental Impact Report/Supplemental Environmental Impact Statement (SEIR/SEIS) for a proposed Major Amendment



to the CVMSHCP was completed in March 2014 (CVCC 2014). The final SEIR/SEIS is still under review by the regulatory agencies, but final approval is expected to be imminent (CVCC 2014). Therefore, the City of Desert Hot Springs is currently processing development projects as if they are covered under the CVMSHCP and all current projects are subject to the regulations listed in the CVMSHCP.

The CVMSHCP is a long-term program designed to conserve federally protected species, state-protected species, and/or other species of concern. The CVMSHCP program aims to conserve over 240,000 acres of open space and protect 27 plant and animal species by providing comprehensive compliance with federal and state endangered species laws. The CVMSHCP includes most of the Coachella Valley floor portion of Riverside County (CVAG 2007). The Project site is not located within and does not share a border with any of the Conservation Areas listed in the CVMSHCP.

Vegetation. One vegetation community, creosote bush scrub, was present on the Project site. Creosote bush scrub is a native vegetation community that is common to the Colorado Desert. No special-status habitats or vegetation communities were observed on the Project site.

The Project site provides suitable habitat for one special-status plant species that has a high potential to occur on the Project site based on the presence of suitable habitat and documented observations (Coachella Valley milk vetch [*Astragalus lentiginosus* var. *coachellae*]). This species is covered under the CVMSHCP and will not require focused surveys or mitigation beyond payment of the MSHCP Local Development Mitigation fee (Mitigation Measure B-1). One sensitive plant species, the chaparral sand-verbena (*Abronia vilosa* var. *aurita*) is not a federally- or state-listed species, but does have a California Native Plant Society status of 1B.1 (seriously threatened in California [over 80% of occurrences threatened/high degree and immediacy of threat]). This species is not covered under the CVMSHCP. If the plants are present, the Project could result in the loss of individuals of species that are rare in California, potentially contributing to the listing of these species. Mitigation Measure B-2 would reduce impacts to a less-than-significant level.

Wildlife. The Project site provides suitable habitat for 16 sensitive wildlife species that have a high or moderate potential to occur on the Project site based on the presence of suitable habitat and documented observations. Of the 16 special-status wildlife species with high or moderate potential to occur on the Project site, seven of them are covered under the CVMSHCP and will not require focused surveys or mitigation beyond payment of the MSHCP local development mitigation fees (Mitigation Measure B-1). With the exception of burrowing owls (*Athene cunicularia*) and desert kit fox (*Vulpes macrotis arsipus*), discussed below, loss of approximately 2 acres of habitat for these non-listed species is



unlikely to substantially reduce the habitat for these species or lead to listing, and a less than significant impact would occur.

Although burrowing owls, a California Department of Fish and Wildlife (CDFW) Species of Special Concern, were not observed during the survey, the Project site does contain suitable habitat for the species and the literature search identified multiple records in the vicinity of the Project site. Although burrowing owls may not have been present when the surveys were conducted, the species is mobile and could take up residence on the site at any time. Burrowing owls are a covered species under the CVMSHCP, and they are protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code. Mitigation Measure B-3 would reduce impacts to this species to a less-than-significant level.

Desert kit fox was found to have a moderate potential to occur on the Project site. This species is not covered under the CVMSHCP, does not currently have a special-status designation from CDFW or the U.S. Fish and Wildlife Service (USFWS), but is regulated as a fur-bearing mammal. As a fur-bearing mammal, the desert kit fox is protected under Title 14, California Code of Regulations (CCR), Chapter 5, Section 460, which prohibits “take” of the species at any time (CDFG 1984). Mitigation Measure B-4 would reduce impacts to desert kit fox to a less-than-significant level.

The CVMSHCP does not address bird species covered under the MBTA, and all development within the CVMSHCP areas is required to comply with the MBTA and avoid impacts to nesting birds. Mitigation Measure B-5 would ensure that impacts to the species covered under the MBTA are less than significant.

B-1: The developer shall ensure that the applicable CVMSHCP Local Development Mitigation Fee is paid to the City of Desert Hot Springs. The time of payment must comply with the City’s Municipal Code (Chapter 3.40).

B-2: A preconstruction survey shall be conducted for the special-status plant species that have been identified to have high to moderate potential to occur and are not covered by the CVMSHCP (the chaparral sand verbena). The survey shall be conducted according to the CNPS Botanical Survey Guidelines (CNPS 2001). The survey shall be conducted during a normal rain years and during the appropriate time of year required for identification of the species (February-May for most Colorado Desert species, including Chaparral sand verbena). If the surveys are conducted during an uncharacteristically low rain year or outside of the appropriate blooming periods for the target species the results may be rejected by CDFW. If special-status plants, not covered by the CVMSHCP, are found on the Project site then CDFW shall be consulted to discuss appropriate mitigation measures. Mitigation measures could include, but are not limited to, seed collection and/or transplanting.



B-3: Preconstruction surveys for burrowing owl shall be conducted. The surveys shall follow the methods described in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012). Two surveys shall be conducted, with the first survey scheduled between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and second survey conducted no more than 24-hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows are identified on the Project site during the survey, the methods listed in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012) shall be followed for avoidance and/or passive relocation, in consultation with CDFW.

B-4: A preconstruction survey for desert kit fox shall be conducted. If possible this survey can be conducted in conjunction with the preconstruction burrowing owl survey. There are no specific guidelines for desert kit fox; CDFW usually recommends that the survey follow the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). If desert kit fox and/or suitable desert kit fox dens are identified on the Project site during the preconstruction survey, the Project shall proceed to follow the USFWS guidelines for avoidance, exclusion, and/or passive relocation, in consultation with CDFW.

B-5: If construction or other ground-disturbing activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The survey shall be completed no more than 14 days prior to initial ground disturbance. The nesting bird survey shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.

- a) *Would the project 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 the California Department of Fish and Game or the U.S. Fish and Wildlife Service?*

No Impact. No riparian habitat or sensitive natural communities are located on the Project site. No impact would occur and no mitigation measures are required.



- b) *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. No wetlands or jurisdictional waters are present on the Project site. No impact would occur and no mitigation measures are required.

- c) *Would the project 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?*

No Impact. The Project site is not located in a wildlife movement corridor or native wildlife nursery site. No impact would occur, and no mitigation measures are required.

- d) *Would the project conflict with any local policies or ordinance protecting biological resources, such as a tree preservation policy or ordinance?*

No Impact. The Project would not conflict with any local policies or ordinances protecting biological resources. The Project would comply with all requirements of the CVMSHCP. No impact would occur, and no mitigation measures are required.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Impact. The Project site is not located within and does not share a border with any of the Conservation Areas listed in the CVMSHCP. The Project would be consistent with the provisions of the CVMSHCP. No impact would occur, and no mitigation measures are required.

5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

- a) *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

Less Than Significant With Mitigation. A cultural resources assessment was conducted for the Project site in March 2016 (ECORP 2016b). The study consisted of a cultural resources records search, Native American Heritage Commission Sacred Lands File search, and field survey. The records search was conducted at the Eastern Information Center at the University of California Riverside for the Project site and a 0.5 mile area surrounding the Project site. The records search indicated that the Project site had not previously been



surveyed; however, thirteen cultural resources investigations have been conducted within a 0.5-mile radius of the site. The records search identified one cultural resource, a historic-period refuse scatter, located approximately 0.3 mile northeast of the Project site. Historic aerial photographs show that the area surrounding the Project site remained undeveloped until the latter half of the 20th century. During the cultural resources field survey, one historic-age artifact was identified on the property, consisting of a single complete all-steel flat top beverage can. This artifact is an isolated find. Isolated finds consist of one or two artifacts that do not provide sufficient information to be important in prehistory or history. Therefore, isolates are not eligible for inclusion in the California Register of Historical Resources (CRHR). Because isolates are not CRHR-eligible, they are not Historical Resources under CEQA; therefore, any impacts to this resource from the development of the parcel would not be an impact, and no mitigation measures are required.

In general, the archaeological sensitivity of the site is considered to be low. However, unknown buried resources may be present below the ground surface. If these resources are eligible for the CRHR and are disturbed by the development of the parcel, a significant impact would occur. This impact would be less than significant with the implementation of Mitigation Measure CR-1.

CR-1: If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the Applicant shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Agua Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less Than Significant With Mitigation. No archaeological resources were identified on the Project site. However, the potential remains for archaeological resources to be present on the site below the ground surface that could be disturbed during Project construction. Implementation of Mitigation Measure CR-1 would reduce this impact to a less-than-significant level.

- c) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

A records search of paleontology collection records at the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County was



conducted for the Project site (Natural History Museum of Los Angeles County 2016). The search found that surface deposits in the Project area consist of younger Quaternary alluvial fan deposits derived from the San Bernardino Mountains to the northwest. These types of deposits are unlikely to contain significant fossils in the uppermost layers. Shallow excavations in these deposits would be unlikely to disturb significant fossils. However, deeper excavations (greater than 10 feet) that extend into older Quaternary deposits may encounter significant fossil remains that may be destroyed during site construction activities that extend to that depth. Mitigation Measure CR-2 would reduce this impact to a less-than-significant level.

CR-2: The applicant shall ensure that any excavations deeper than 10 feet shall be monitored by a qualified paleontological monitor. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other approved curation facility.

- d) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant With Mitigation. No human remains were identified during the survey. However, there is the potential for unknown remains to be present below the ground surface that could be disturbed during Project construction. Implementation of Mitigation Measure CR-3 would reduce this impact to a less-than-significant level.

CR-3: In the event that any human remains are discovered, the Applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the City of Desert Hot Springs Police Department. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).

- e) *Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in §21074?*

No Impact. On March 23, 2016, the City of Desert Hot Springs sent a letter to notify the Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, and Soboba Band of Luiseño Indians of their opportunity to initiate consultation under AB 52. As the lead agency, the City of Desert Hot Springs shall begin formal consultation only when a California Native American tribe requested to the lead agency, in writing, to be informed through formal notification of proposed projects and when the tribe, after being noticed,



responds within 30 days to indicate its desire to consult on the specific project. As a result of the letter sent by the City, no Native American tribes have yet requested consultation under AB 52. A Sacred Lands File search by the Native American Heritage Commission did not identify any tribal cultural resources within or in the vicinity of the project site. No impact to Tribal Cultural Resources is anticipated and no mitigation is required.

6. GEOLOGY AND SOILS

- a) *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:*
- i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Less Than Significant. According to the City of Desert Hot Springs General Plan, the nearest faults to the Project site are the Banning and Mission Creek faults, which are segments of the San Andreas Fault. Based on analysis of the San Andreas Fault's earthquake potential, a major seismic event within the City of Desert Hot Springs planning area would lie within intensity zones IX through XI on the Modified Mercalli Intensity Scale (MMIS). The MMIS measures the damage potential of an earthquake based on peoples reaction to a quake, and observed damage to structures and other physical effects. The MMIS is measured within twelve levels of intensity, ranging from I (tremor not felt) to XII (damage is nearly total). During an earthquake the City of Desert Hot Springs would be exposed to ground shaking and ground rupture.

There are no known active faults that traverse the Project site or its immediate vicinity. According to the California Division of Mines and Geology, Desert Hot Springs Quadrangle Special Studies Zone Map, the nearest fault to the project site is the Mission Creek Fault. This fault is located 1.9 miles northeast of the project site and lies within an Alquist-Priolo Earthquake Fault Zone (CDC 1980; City of Desert Hot Springs 2014).

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. The potential for damage due to ground rupture is unlikely due to the location of the Project site from known fault lines within the Coachella Valley. The Proposed Project will have less than significant impacts due to ground rupture of a known earthquake fault and no mitigation measures are required.



ii. *Strong seismic ground shaking?*

Less Than Significant. According to the City of Desert Hot Springs General Plan, ground shaking is the primary seismic hazard that can be expected for the Project site, due to its location from a fault. The intensity of this ground shaking can be affected by the distance from such fault.

Design and construction of the proposed facilities would comply with current building codes and standards which would reduce the risk of loss, injury, or death resulting from strong ground-shaking. A less than significant impact would occur, and no mitigation measures are required.

iii. *Seismic-related ground failure, including liquefaction?*

Less Than Significant. Liquefaction is a phenomenon where water-saturated granular soil loses shear strength during strong ground shaking produced by earthquakes. The loss of soil strength occurs as a consequence of cyclic pore water pressure increases below groundwater surface. Potential hazards due to liquefaction include loss of bearing strength beneath structures, possibly causing foundation failure and significant settlements and differential settlements. Liquefaction generally occurs in areas where the ground water table is less than 50 feet below the surface.

According to the City of Desert Hot Springs General Plan, liquefaction is considered low in the Desert Hot Springs area, principally because of the approximate depth of 150 to 200 feet to ground water. The Proposed Project is located within the Mission Creek Sub basin. Average depth to groundwater in the Mission Creek Sub basin is 300 feet below surface (City of Desert Hot Springs 2000). Less than significant impacts related to seismic ground failure as a result of liquefaction are expected for the Proposed Project and no mitigation measures are required.

Landslides?

No Impact. Landslides can generally occur in areas that have steep slopes and can be caused by seismic activity and/or extended periods of rain resulting in high water saturation of soils. Topographically, the Project site is relatively flat with a high elevation of 1,005 feet above mean sea level (amsl) in the northwest corner. The Project site is not located in an area susceptible to rock falls or landslides. No impacts related to landslides are anticipated for the Proposed Project and no mitigation measures are required.



- b) *Would the project result in substantial soil erosion or the loss of topsoil?*

Less Than Significant. Construction of the Proposed Project would require ground disturbing activities which could result in soil erosion. Construction of the Proposed Project would be required to comply with the Construction General Permit, through the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and a Fugitive Dust Control Plan. The Project site is located in Federal Emergency Management Agency (FEMA) Flood Zone AO, which is defined as a special flood hazard area subject to inundation by the 100 year flood. Flood depths would be up to 1 foot, usually sheet flow on sloping terrain. FEMA has determined that the flood velocity in this flood zone would be five feet per second. During Project operation, all onsite 100-year peak discharges would be conveyed into the proposed retention basin that would be located on the south side of the site. The project would also be required to comply with the City of Desert Hot Springs grading ordinance. The Proposed Project would not result in significant impacts due to soil erosion or the loss of topsoil and no mitigation measures are required.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in, on, or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less Than Significant. As discussed previously substantial impacts associated with liquefaction, lateral spread and offsite landslides are not expected.

Ground subsidence is defined as the gradual settling or sinking of the ground with little or no horizontal movement (City of Desert Hot Springs 2000). Subsidence is usually associated with the extraction of oil, gas, or groundwater from below the ground surface, but it may also occur as a result of an earthquake. Devers Hill, located approximately 2 miles west of the Project site, is a prime example of uplift that has occurred in the Desert Hot Springs area. This uplift is seen in the four-meter-high cut on the west side of Devers Hill.

The City of Desert Hot Springs is mostly comprised of alluvial sediments which are prone to collapse. As part of Project approvals, site specific grading plans and a geotechnical report would be required. Following the recommendations in the site-specific geotechnical report would ensure that the potential for impacts related to unstable soils that could potentially result in, or offsite landslide, lateral spreading, subsidence, liquefaction or collapse would be less than significant and no mitigation measures are required.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks of life or property?*

No Impact. The City of Desert Hot Springs planning area is underlain by alluvial



and aeolian sediments. According to the City of Desert Hot Springs General Plan, these sediments are prone to collapse and design and construction methods should be considered to prevent saturation of soils (City of Desert Hot Springs 2000).

Expansive soils are defined as soils with a significant amount of clay particles with the ability to give up (shrink) or take on (swell) water. Within the City of Desert Hot Springs Planning area, expansive soils are not considered a significant hazard as there are minimal amounts of clay in the soils. Expansive soils are not known to occur on the project site. The Proposed Project would not be located on expansive soils and therefore no impact would occur and no mitigation measures are required.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

No Impact. Mission Springs Water District provides waste water treatment services in this area, including the proposed site. The Proposed Project would retain all stormwater on site. Two catch basins are proposed on the southern end of both facilities for this purpose. The Proposed Project does not propose the construction of septic tanks or alternative disposal systems. The Proposed Project would not have impacts related to soils incapable of adequately supporting septic tanks or alternative wastewater disposal systems and no mitigation measures are required.

7. GREENHOUSE GAS EMISSIONS

- a) *Would the project generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant. Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF₆). These particular gases are important due to their residence time (duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the Earth's atmosphere, but prevent radioactive heat from escaping, thus warming the Earth's atmosphere. GCC can occur naturally as it has in the past with the previous ice ages. According to the California Air Resources Board, the climate change since the industrial revolution differs from previous climate changes in both rate and magnitude.



Gases that trap heat in the atmosphere are often referred to as greenhouse gases. Greenhouse gases are released into the atmosphere by both natural and anthropogenic (human) activity. Without the natural greenhouse gas effect, the Earth's average temperature would be approximately 61 degrees Fahrenheit (°F) cooler than it is currently. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature.

Although California's rate of growth of greenhouse gas emissions is slowing, the state is still a substantial contributor to the U.S. emissions inventory total. In 2004, California is estimated to have produced 492 million gross metric tons of carbon dioxide equivalent (CO₂e) greenhouse gas emissions. Despite a population increase of 16 percent between 1990 and 2004, California has significantly slowed the rate of growth of greenhouse gas emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls.

An individual project like the Proposed Project cannot generate enough greenhouse gas emissions to effect a discernible change in global climate. However, the Proposed Project may participate in the potential for GCC by its incremental contribution of greenhouse gases combined with the cumulative increase of all other sources of greenhouse gases, which when taken together constitute potential influences on GCC. Because these changes may have serious environmental consequences, a greenhouse gas analysis was prepared to evaluate the potential for the Proposed Project to have a significant effect upon the environment as a result of its potential contribution to the greenhouse effect (Urban Crossroads 2016b).

A numerical threshold for determining the significance of greenhouse gas emissions in the South Coast Air Basin (Basin) has not been established by the SCAQMD for projects where it is not the lead agency. As an interim threshold based on guidance provided in the CAPCOA CEQA and Climate Change handbook, the City has opted to use a non-zero threshold approach based on Approach 2 of the handbook. Threshold 2.5 (Unit-Based Thresholds Based on Market Capture) establishes a numerical threshold based on capture of approximately 90 percent of emissions from future development. The latest threshold developed by SCAQMD using this method is 10,000 metric tons carbon dioxide equivalent (MTCO₂e) per year for industrial projects. This threshold has also been adopted by the SCAQMD for industrial projects where it is the lead agency. This threshold will be used for the analysis of this Project to determine if emissions of greenhouse gases from this Project will be significant.

The total amount of Project-related greenhouse emissions when accounting for applicable regulatory developments and the existing land use GHG emissions would total 346.96 MMTCO₂e. The Proposed Project would not exceed the



SCAQMD's interim threshold of 10,000 MTCO₂e per year. Therefore, the Project's contribution to GCC impacts would be less than significant and no mitigation is required.

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

No Impact. As indicated above, the City has not adopted its own plan or threshold of significance for determining impacts with respect to greenhouse gas emissions. The interim threshold used by the City, described above, is consistent with SCAQMD's non-zero threshold approach. The Project would have greenhouse gas emissions well below the interim threshold.

The City has also adopted a Climate Action Plan (CAP) to help reduce greenhouse gas emissions or support reduction strategies resulting from development. Additionally, the California Air Resources Board's Scoping Plan identifies strategies to reduce California's greenhouse gas emissions in support of Assembly Bill 32 (AB 32). Many of the strategies identified in the City's CAP and the Scoping Plan are not applicable at the project level, such as adopting regulations or long-term technological improvements to reduce emissions from vehicles. Some measures in the City's CAP and the Scoping Plan are applicable and supported by the Project, such as water and energy efficiency. Finally, while some measures are not directly applicable, the Project would not conflict with their implementation. The Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, and no impact would occur. No mitigation measures are required.

8. HAZARDS AND HAZARDOUS MATERIALS

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

Less Than Significant. According to the Code of Federal Regulations (CFR Title 40, Part 261) and the California Department of Toxic Substance Control, hazardous materials are defined as having four of the following characteristics: ignitability, reactivity, corrosivity, and/or toxicity.

Construction of the Proposed Project would involve the temporary use of potentially hazardous substances, such as diesel fuel and hydraulic fluid associated with construction equipment. However, equipment maintenance and fueling activities would not occur on the site, and use of equipment would be consistent with the manufacturer's instructions and industry standards. Additionally, construction activities would involve the implementation of a Storm Water Pollution Prevention Plan (SWPPP) with accompanying Best Management



Practices (BMPs) for the delivery, storage, use, and spill prevention of hazardous materials.

The Proposed Project's cultivation operations are not expected to involve the routine transport, use or disposal of hazardous materials that would pose a hazard to public health and safety or the environment. All cultivation operations would occur in enclosed facilities. No extraction or product processing is proposed. Less than significant impacts as a result of the routine transport, use, or disposal of hazardous materials are anticipated for the Proposed Project and no mitigation measures are required.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less Than Significant. No extraction or product processing is proposed. The potential risk associated with accidental discharge during use and storage of equipment-related hazardous materials during construction is considered low because the handling of any such materials would be addressed through the implementation of BMPs. The Proposed Project consists of the construction of an indoor marijuana cultivation facility that would involve cleaning compounds, sanitizing agents, solvents, and potentially flammable materials during the operation of the facilities.

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.

In accordance with Ordinance Number 552 pertaining to the regulation of medical marijuana facilities, onsite 24-hour camera surveillance will be provided for the Proposed Project. Furthermore, the project site will be enclosed with a perimeter fence and a security guard will be on duty during hours of operation. The Proposed Project would have less than significant impacts related to the release of hazardous materials into the environment and no mitigation measures are required.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*



No Impact. There are no schools located within a one-quarter mile radius of the project site. Two Bunch Palms Elementary School is located approximately 0.9 mile east of the Project site. No extraction or product processing is proposed. No impacts related to hazardous emissions or the handling of hazardous emissions or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school is expected and no mitigation measures are required.

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

No Impact. Three record searches were completed for the Project site within multiple database platforms pursuant to Government Code Section 65962.5 and its subsections. The databases consulted included *Geotracker*, *EnviroStor*, and the EPA *Enforcement and Compliance History Online (ECHO)*. *Geotracker* is maintained by the State of California Water Resources Control Board. *EnviroStor* is maintained by the State of California Department of Toxic Substances Control (DTSC). The *ECHO* database focuses on inspection, violation, and enforcement data for the Clean Air Act (CAA), Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) and also includes Safe Drinking Water Act (SDWA) and Toxics Release Inventory (TRI) data.

The search results did not identify any records or sites in connection with the property. No Leaking Underground Storage Tank Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks are known to occur on or around the property. The nearest such site is a Permitted Underground Storage Tank located at 15501 Little Morongo Road, approximately 0.62 mile southwest of the project site (SWRCB, DTSC, EPA 2016). The Proposed Project is not located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and no mitigation measures are required.

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

No Impact. The Project is not located near an existing airport or airport land use plan. The nearest airport facility to the project is the Palm Springs International Airport, located approximately seven miles south of the Project site. No impacts related to a safety hazard for people working in the Project site are expected because there are no airports within two miles of the project site and no mitigation measures are required.



- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. The Project is not located in the vicinity of a private airstrip. No impacts related to a safety hazard for people working at the project site are expected because there are no private airstrips within two miles of the project site and no mitigation measures are required.

- g) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No Impact. The City of Desert Hot Springs General Plan has an Emergency Preparedness Element that identifies critical facilities necessary in the event of an emergency, to assess the availability of emergency response services, and to discuss the potential impacts of significant man-made and natural hazards within the community. This element was drafted with the goal of establishing policies and programs to assure effective response to environmental and man-made hazards that the community faces (City of Desert Hot Springs 2000).

The Riverside County Fire Department, under contract with the City of Desert Hot Springs, provides 24-hour fire protection and emergency medical services to the Project area. The City of Desert Hot Springs has two fire stations, Battalion 10, Station 36; located at 11535 Karen Avenue is approximately 2.4 miles from the Project site and Battalion 10, Station 37 located at 65958 Pierson Boulevard, approximately 1.3 miles from the Project site. The Proposed Project is not anticipated to hinder goals and or policies set forth in the Emergency preparedness element of the City of Desert Hot Springs General Plan.

The site design would be reviewed by the Riverside County Fire Department for compliance with project-specific emergency access, water pressure and similar requirements as a routine aspect of the City's design review process. The Proposed Project would not interfere with an emergency response plan or emergency evacuation plan and no mitigation measures are required.

- h) *Would the project 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?*

No Impact. Large areas of Southern California are susceptible to wildfires year round due to the region's weather, topography and vegetation conditions. The Coachella Valley's hot dry summer and autumn weather is ideal to generate the dry vegetation that fuels most wildfires. The California Board of Forestry (CDF) ranks fire hazard of wildland areas of the State using four main criteria: fuels, weather, assets at risk, and level of service.



Although the Project site and its general surroundings are undeveloped with vegetation, these conditions have not been recognized to meet the criteria of high or very high fire hazard zones. The Riverside County Integrated Project (RCIP) indicates that Project area is not within the Very High Severity Zone, and it is listed as being in a Non-Very High Fire Hazard Severity Zone on the Cal Fire Map Local Responsibility Area (LRA) Map for Western Riverside County. The project site is not located near or adjacent to any wildfire areas. As previously discussed, the project will include the necessary fire protection facilities necessary to satisfy the local Fire Department requirements. No impact would occur, and no mitigation measures are required.

9. HYDROLOGY AND WATER QUALITY

- a) *Would the project violate any water quality standards or waste discharge requirements?*

Less Than Significant. The Project site is located within the Whitewater River Watershed in Colorado River Region (Region 7) (SWRCB 2016). There are nine California Regional Water Quality Control Boards (RWQCBs) that regulate water quality pursuant to the National Pollutant Discharge Elimination System (NPDES), an amendment to the federal Clean Water Act (CWA) of 1972, from non-point sources. The Project would disturb an area greater than one acre and therefore would be subject to compliance with the State's most current NPDES Construction General Permit (CGP) (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006- DWQ). As part of the CGP, to reduce potential adverse effects to surface water quality during construction, a SWPPP is prepared. The SWPPP will identify BMPs to prevent stormwater runoff pollution. Preparation of a SWPPP and implementation of BMPs would ensure no adverse effects to water quality would occur during construction. No mitigation measures are required.

- b) *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of a local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Less Than Significant. The City of Desert Hot Springs primarily relies on groundwater for its domestic water through extraction of groundwater from the Mission Creek subbasin, which forms a part of the larger Coachella Valley Groundwater Basin (SWRCB 2016). Within the Project area, the Coachella Valley Water District (CVWD), Desert Water Agency (DWA), and the Mission Springs Water District (MSWD) manage the Mission Creek and Garnet Hill



Subbasins Water Management Plan. This plan identifies long-term goals to direct operations of current and future water demands. The project site is located within the jurisdiction of the MSWD.

MSWD is responsible for distributing domestic water to the City of Desert Hot Springs. According to the MSWD 2010 Urban Water Management Plan, the Mission Springs subbasin is currently in overdraft condition. Through agreements with the CVWD and DWA, the City of Desert Hot Springs is currently in cooperation with the MSWD and other agencies and jurisdictions to implement a groundwater replenishment program to ensure the function and sustainability of the Mission Creek subbasin.

The Proposed Project is consistent with the City's General Plan, and is not anticipated to interfere with groundwater supply. The Project would implement water conservation measures to reduce impacts to public water supplies, including low-flow plumbing fixtures, drought-tolerant landscaping, and water-efficient irrigation systems in the growing area. Additional domestic water improvements may be required by MSWD and would be included in the conditions of approval during the City's review process. The Proposed Project would not significantly affect groundwater supplies or groundwater recharge and no mitigation measures are required.

- c) *Would the project 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 which would result in substantial erosion or siltation on- or off-site?*

Less Than Significant. The Project site is currently flat, and does not include a stream or river. Construction of the site would include site grading, including creation of a retention basin on the south side of the parcel. Substantial alterations of the drainage patterns of the site or area or alteration of the course of a stream or river are not proposed. Impacts would be less than significant and no mitigation measures are required.

- d) *Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial flooding on- or off-site?*

Less Than Significant. Site grading and preparation would drain the site to a detention basin located on the south side of the site. This change in drainage would not result in substantial flooding on- or off-site and would not alter the course of a stream or river. A less than significant impact would occur, and no mitigation measures are required.



- e) *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Less Than Significant. The Project's runoff would be directed to a detention basin located on the south side of the parcel. The Project would not contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. A less than significant impact would occur, and no mitigation measures are required.

- f) *Would the project otherwise substantially degrade water quality?*

Less Than Significant. During construction, the Project would implement a SWPPP with BMPs to prevent degradation of water quality. During operations, the Project would use an on-site retention basin to allow the Project to comply with the Stormwater Management and Discharge Controls stipulated in Chapter 13.08 of the Desert Hot Springs Municipal Code. The purpose of these requirements is to minimize the discharge and transport of pollutants associated with new development through the control of the volume and velocity of stormwater runoff. The Project would not substantially degrade water quality, and no mitigation measures are required.

- g) *Would the project 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?*

No Impact. The major drainages of Mission Creek, Big and Little Morongo Creeks, Blind Creek, Long Creek and its tributaries, other mountain canyons and their alluvial fans, and runoff associated with the foothills of the San Bernardino and Little San Bernardino Mountains comprise areas of potential flooding in the City of Desert Hot Springs (City of Desert Hot Springs 2000). The Project site is located in Zone AO of the federal Flood Insurance Rate Map (FEMA 2008), which is designated as an area that would flood to an average depth of one foot during the 100 year flood. However, the Project is industrial and does not include housing. Therefore, no mitigation measures to protect housing from the 100 year flood are required.

- h) *Would the project place within a 100-year flood hazard area structures which would impede or direct flood flows?*

Less Than Significant. As discussed above, the Project is in the 100-year flood hazard area (Flood Zone AO) designated by FEMA. The Project site and the surrounding area is subject to inundation by the 100 year flood to an average depth of one foot and a velocity of five feet per second. The Proposed Project



would place a 22,680 square foot industrial building and associated parking, landscaping, and other site improvements on a previously vacant site within the 100-year flood hazard area. Stormwater runoff would be directed into a detention basin on the south side of the parcel. Therefore, the Project would not impede or direct flood flows. No mitigation would be required.

- i) *Would the project 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?*

Less Than Significant. As discussed above, the Project is in the 100-year flood hazard area (Flood Zone AO) designated by FEMA. Stormwater runoff would be directed into an appropriately-sized detention basin on the south side of the parcel. Project grading would raise the building foundation above the 100-year flood level of one foot. The Project area is not near an existing levee or dam and flood hazards from these structures do not exist on the Project site. Therefore, people or structures would not be exposed to a significant risk of loss, injury, or death involving flooding.

- j) *Would the project expose people or structures to inundation by seiche, tsunami, or mudflow?*

No Impact. The site is not in an area subject to seiche, tsunami, or mudflow. No impact would occur, and no mitigation is required.

10. LAND USE AND PLANNING

- a) *Would the project physically divide an established community?*

No Impact. The Proposed Project site is currently vacant and is zoned as Light Industrial (I-L) District and designated as such by the City of Desert Hot Springs General Plan. The I-L District is designated to support land uses for light industrial uses functioning within enclosed buildings and the development of business parks. As described previously in Section 2.1 Project Vicinity, the surrounding land uses immediately adjacent to the Project site include undeveloped vacant land with conditions similar to those found on the project site and light industrial facilities. To reduce and avoid land use incompatibility, the I-L District is predominantly separated from residential and commercial uses. There are no established communities that would be divided through implementation of the Proposed Project. The Proposed Project would not divide an established community and no mitigation measures are required.

- b) *Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted*



for the purpose of avoiding or mitigating an environmental effect?

No Impact. As part of the Proposed Project, the applicant is seeking approval of a Conditional Use Permit (CUP) (Municipal Code 17.180.090) and Regulatory Permit (Municipal Code Chapter 5.50) to develop 1.07 acres for the proposed medical marijuana cultivation facility. Through this CUP, an evaluation of the design and operation of the Proposed Project would 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 and any future law that may be enacted.

As previously described in item a), the Proposed Project is considered an activity that qualifies as light industrial use, which is consistent with the City's General Plan land use and zoning designations. Acquiring a CUP as part of the Proposed Project would ensure that design and operation would not conflict with the City's land use, zoning, or other regulatory policies identified above. The Proposed Project will not significantly impact an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project and no mitigation measures are required.

- c) *Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?*

No Impact. As previously described in Section 4.4 item f), the project site is located within the CVMSHCP, a regional plan which identifies policies for conservation for federally protected species, state-protected species, and/or other species of concern. The CVMSHCP program aims to conserve over 240,000 acres of open space and protect 27 plant and animal species by providing comprehensive compliance with federal and state endangered species laws. The CVMSHCP includes most of the Coachella Valley floor portion of Riverside County habitats and natural communities found within the Coachella Valley (ECORP 2016a). The Project site is not located within and does not share a border with any of the Conservation Areas listed in the CVMSHCP. The Proposed Project would comply with all requirements of the CVMSHCP and would not conflict with an applicable habitat conservation plan or natural community conservation plan. No mitigation measures are required.

11. MINERAL RESOURCES

- a) *Would the project 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?*

No Impact. The Surface Mining and Reclamation Act of 1975 (SMARA) requires all cities and counties to incorporate the mapped mineral resource designations



approved by the State Mining and Geology Board, in their General Plans. These designations categorize land into four Mineral Resource Zones.

According to the City of Desert Hot Springs General Plan, Energy and Mineral Resources Element and the SMARA map of Desert Hot Springs, the Project site and its immediate vicinity are located within Mineral Resource Zone 3 (MRZ-3) (City of Desert Hot Springs 2000; CDC 2016). The MRZ-3 classification includes areas where mineral deposits cannot be evaluated from the available data. Based on this information, there are no specific known mineral resources within or near the immediate vicinity of the Project site. The Project site is currently vacant, and is not being used for mining.

The Proposed Project does not involve the physical disturbance of any natural features such as drainages where sand or gravel deposits may occur. The Proposed Project does not involve the extraction or loss of known mineral resources. Aggregate resources used as part of the construction of the Proposed Project would be obtained from existing local or regional facilities. The Proposed Project will not significantly impact availability of a known mineral resource that would be of value to the region and the residents of the state and no mitigation measures are required.

- b) *Would the project 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?*

No Impact. As described in the Desert Hot Springs General Plan, Energy and Mineral Resources Element, primary mineral resources that are known to exist in the Coachella Valley region consist of sand and gravel (aggregate) commonly found along and near local drainages (City of Desert Hot Springs 2000). Aggregate is essential for local and regional construction industries which rely heavily on a dependent source for building materials including asphalt, concrete, road base, stucco and plaster.

According to the City of Desert Hot Springs General Plan, County of Riverside General Plan, and SMARA mineral resource zone maps, the project site is not recognized as a delineated mineral resource recovery site. In addition, the Proposed Project does not involve the physical disturbance of any drainage that may contain unknown deposits of aggregate materials. The Proposed Project would not significantly impact availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan and no mitigation measures are required.



12. NOISE

- a) *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant. Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sound and noise are highly subjective. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dBA, and changes in levels (dBA) correspond closely to human perception of relative loudness.

The Project site is located on vacant land surrounded by partially developed Light Industrial (L-I) uses. As described previously, the Light Industrial District is largely separated from residential and commercial uses to prevent potential land use compatibility concerns. Surrounding land uses include other Light Industrial facilities and vacant land, and religious facilities. The nearest sensitive receptor is a single-family residence located approximately 328 feet northwest of the site.

According to the City of Desert Hot Springs General Plan, Noise Element, land uses have different sets of noise standards based on the susceptibility of sensitive receptors, such as people. The project site falls into the category of "Industrial" based on the Light Industrial land use designation. For this land use, the normally acceptable noise exposure ranges from 50 to 75 Community Noise Equivalent Level (CNEL). Unacceptable noise levels range from 70 and 80 CNEL and construction noise exceeding 75 CNEL is highly discouraged (City of Desert Hot Springs 2000).

The Project site currently consists of vacant land and does not emit a distinct source of noise; however, the site is exposed to traffic noise via Two Bunch Palms Trail, which bounds the project site on the north. Temporary construction activities are expected to generate noise including transport from workers and equipment to and from the site and on-site operation of construction equipment. The City of Desert Hot Springs enforces noise standard goals and policies established by the City's General Plan, as well as requiring projects to abide by the City's Noise Ordinance found in the Municipal Code regulations which stipulate construction hours. According to the City's Municipal Code, construction activities are only permitted between 7:00 a.m. and 5:00 p.m. Monday through Saturday. During daylight savings time, construction is permitted between 6:00



a.m. and 6:00 p.m. Monday through Saturday. Construction is not permitted on Sundays.

The Proposed Project operation noise would primarily be confined to the interior structure enclosures. As part of the provisions of the Municipal Code, all cultivation operations must remain inside the proposed buildings. The Proposed Project is expected to increase traffic noise during construction and operation within the vicinity of the Project area; however, it is consistent with the City's zoning and land use designations and therefore, operation of the facilities is not expected to exceed noise standard thresholds and surpass the community noise and land use compatibility standards. The Proposed Project will not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies and no mitigation measures are required.

- b) *Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

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

The Project is located in a partially developed industrial district. The nearest residential development is located approximately 328 feet northwest of the site. Current traffic on Two Bunch Palms Trail and Little Morongo Road represents an existing source of groundborne vibration due to circulation of larger vehicles and trucks.

Construction of the Project is expected to involve the temporary use of vehicles and equipment that would result in short-term groundborne vibration increases within the permitted construction hours established by the City. During the life of the Project, all routine project operations would occur within the proposed structures and during the permitted hours of operation, as mandated by the local



ordinance and conditioned by the City. 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 local residential uses. Less than significant impacts related to excessive groundborne vibration noise levels is expected and no mitigation measures are required.

- c) *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Less Than Significant. As described previously, the Project site is vacant land bounded by Two Bunch Palms Trail and other Light Industrial uses. Currently, it is not an existing source of ambient noise. Any noise as a result of operation of the Proposed Project would be contained within the proposed building structures with minimal activity within the enclosure of the proposed security fence. The amount of traffic as a result of operation of the Proposed Project would be incremental and is not anticipated to substantial increase ambient noise levels. The Proposed Project would not result in substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project and no mitigation measures are required.

- d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Less Than Significant. Construction of the Proposed Project would temporarily increase ambient noise levels that would otherwise be absent without the existing project. However, construction contractors are expected to comply with project site the City's established noise standards including hours of operation and maintain equipment consistent with manufacturer's standards. The Project site is not located within the immediate vicinity of a sensitive receptor. The Proposed Project would not result in significant impacts related to temporary or periodic ambient noise levels and no mitigation measures are required.

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

No Impact. The Project is not located near an existing airport or airport land use plan. The nearest airport facility is the Palm Springs International Airport, located approximately seven miles south of the project site. The Proposed Project would not expose people residing or working in the project area to excessive noise levels and not mitigation measures are required.



- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. 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.

13. POPULATION AND HOUSING

- a) *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Less Than Significant. With the approval of the CUP, the Proposed Project would be consistent with operations and uses supported in the City of Desert Hot Springs Light Industrial (I-L) zoning and General Plan land use designation. The Project would be constructed over a period of six to seven months. The number of employees required for Project operation would be relatively minor and would not induce population growth due to the nature and size of the proposed facilities.

The Proposed Project does not include construction of residential housing. Any improvements to roads and other infrastructure would be related to access to the cultivation facility and would not induce substantial population growth to the area. The Proposed Project will not induce substantial population growth in an area, either directly or indirectly and no mitigation measures are required.

- b) *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The existing Project site consists of vacant land zoned for Light Industrial (L-I) use and would not displace any existing housing necessitating the construction of replacement housing elsewhere. The Proposed Project will not significantly displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere and no mitigation measures are required.

- c) *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

No Impact. The Project site consists of vacant land, zoned for Light Industrial (L-I) use. No people would be displaced through implementation of the Proposed Project. The Proposed Project will not significantly displace substantial numbers of people, necessitating the construction of replacement housing elsewhere and no mitigation measures are required.



14. PUBLIC SERVICES

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

i. *Fire protection?*

Less Than Significant. According to the City of Desert Hot Springs General Plan, Fire and Police Protection Element, the City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) to provide fire protection services provided 24 hours a day 7 days a week (City of Desert Hot Springs 2000).

There are two RCFD fire stations located within the City of Desert Hot Springs: Battalion 10, Station 36; located at 11535 Karen Avenue is approximately 3.2 miles northwest of the Project site and Battalion 10, Station 37 located at 65958 Pierson Boulevard, approximately 2 miles northeast from the Project site.

The City of Desert Hot Springs, in addition relying on RCFD resources, also maintains cooperative mutual aid agreements with the cities of Palm Springs and Cathedral City to provide emergency responders when available across jurisdictions to service communities within the City limits (City of Desert Hot Springs 2000).

Construction of the Proposed Project would increase demands for fire protection; however, due to the Project site proximity to the existing fire stations (less than five miles away) and the size of the proposed facilities, the Proposed Project would not likely require a substantial increase to fire service demand. Therefore, the Proposed Project could be served by the existing fire stations without construction of additional fire facilities.

Furthermore, the Proposed Project would be required to comply with all applicable and current California Fire Code Standards during construction and operation including the installation of fire hydrants and sprinkler systems inside the buildings. In addition, prior to project implementation, City and Fire officials would review project plans to ensure sufficient fire service and safety would be attainable. The Proposed Project would be required to comply with the City's Development Impact Fees (DIF), a program designed to supplement the cost of funding public facilities and services, such as fire protection. The Proposed Project would not result in substantial adverse physical impacts associated with maintaining fire protection and no mitigation is required.



ii. *Police protection?*

Less Than Significant. According to the Desert Hot Springs General Plan, Fire and Police Protection Element, the Proposed Project would be served by the Desert Hot Springs Police Department which operates from a single location approximately 1.8 miles from the project site at 65-950 Pierson Boulevard (City of Desert Hot Springs 2000).

The Proposed Project would be required to comply with the City's Municipal Code, which requires medical marijuana facilities to have adequate security fencing, lighting, cameras, alarm systems, and security guard personnel. The increase in demand for police services would be minor and is not expected to interfere with the functionality of the City's current police services. Furthermore, as described previously regarding fire protection services, the Proposed Project would be required to comply with the City's Development Impact Fees to help with the cost of funding public facilities and services. The Proposed Project will not result in substantial adverse physical impacts associated with maintaining police services. No mitigation is required.

iv. *Schools?*

No Impact. The Proposed Project is located within the Palm Springs Unified School District (PSUSD) jurisdiction. The nature of the Proposed Project would not create a demand for school service. As described in Section 13. Population and Housing, the Proposed Project is not anticipated to create a substantial increase in new residents to work at the facility. However, as required, the project applicant would be subject to development fees to compensate for potential impacts to existing school facilities. The Proposed Project would not significantly impact existing school services and no mitigation measures are required.

iv. *Parks?*

No Impact. The Proposed Project would not create a substantial increase in new residents that would increase park use to the extent that modifications to existing parks or construction of new park facilities is required. The Proposed Project would not significantly impact existing park facilities and no mitigation measures are required.

v. *Other public facilities?*

No Impact. As described above, the Proposed Project would not create a substantial increase in new residents and therefore, no increase in the demand for government services and other public facilities is anticipated. The Proposed



Project will not significantly impact existing public facilities and no mitigation measures are required.

15. RECREATION

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

No Impact. The Proposed Project would not create a substantial increase in new residents that would increase park use to the extent that substantial physical deterioration of the facility would occur. The Proposed Project would not significantly impact existing park facilities and no mitigation measures are required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

No Impact. The Project does not include recreational facilities or require the construction or expansion of recreational facilities. No impact would occur, and no mitigation measures are required.

16. TRANSPORTATION/TRAFFIC

- a) *Would the project 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.*

Less Than Significant. The Proposed Project consists of the construction of a 22,680-square-foot industrial building on approximately 1.07 acres for the indoor cultivation of medical marijuana. Parking would be provided along the central north-south drive adjacent to the building, perpendicular to Two Bunch Palms Trail. The Project site would have one primary access point on Two Bunch Palms Trail into the proposed parking lot. The entrance would be gated and the entire site is enclosed within a perimeter security fence with controlled vehicular access on and off the project site.

The cultivation facility would operate in accordance with the Municipal Code Chapter 5.50 Medical Marijuana facilities; operating between the hours 8:00 am



and 10:00 pm, up to seven days a week. Fifteen parking spaces are provided for employees and would be consistent with City parking standards.

The Proposed Project would increase traffic during construction and operation of the proposed facility. To evaluate the increase in traffic conditions, the Proposed Project is assessed based on the Average Daily Trips (ADT) and level of service (LOS) standards identified in the City of Desert Hot Springs General Plan. ADT is defined as the total number of vehicles that travel a defined segment of roadway over a twenty-four hour period. LOS is a qualitative analysis of contributing factors such as speed, travel time, traffic volume, geometric features, traffic interruptions, delays, and freedom to maneuver, driver comfort and convenience, and vehicle operation costs. LOS is comprised of a ranking system defined as LOS "A" through LOS "F", where LOS "A" represents the most beneficial free flow condition and LOS "F" the least beneficial forced flow driving condition. These categories are established based on The LOS categories are based driver tolerance of varying levels of traffic delays (City of Desert Hot Springs 2000). For planning and design purposes, the City of Desert Hot Springs defines LOS "D" as the minimum level of satisfactory intersection service level during peak hours. LOS D is defined as managing the maximum traffic volume capacity of the roadway system while still maintaining an adequate level of driver satisfaction (City of Desert Hot Springs 2000).

According to the City of Desert Hot Springs General Plan, Circulation Element, Two Bunch Palms Trail roadway segment west of Palm Drive identified an ADT of 4,335 in 1999. The roadway segment nearest to the Project site's northern boundary identified an ADT of 100. A review of the City's General Plan EIR identifies that at the City's projected buildout, that Two Bunch Palms Trail would function at LOS B.

According to the City of Desert Hot Springs General Plan, Circulation Element, identified Little Morongo Road segment, perpendicular to Two Bunch Palms Trail and adjacent to the project site on the western boundary, as having an ADT of 1,922 in 1999 (City of Desert Hot Springs 2000). A review of the City's General Plan EIR identifies that at the City's projected buildout, Little Morongo Road between Pierson Boulevard and Dillon Road would function at LOS D.

According to Caltrans Divisions of Traffic Operations Traffic Census Report, ADT for both Two Bunch Palms Trail and Little Morongo Road have increased since 1999; however, these roadway segments have been designed to adequately accommodate the increase in traffic conditions. In order to receive approval of the CUP and implementation of the Proposed Project, the project applicant must comply with off-site street design standards and site circulation. Additionally, the Proposed Project would pay into the Coachella Valley Associate of Governments (CVAG) Transportation Uniform Mitigation Fee (TUMF) program, a sales tax established by Riverside County voters in 1989 to assist with off-setting the cost



of residential, industrial, and commercial development. Operation of the Proposed Project would include vehicle trips from employees and deliveries; the facility would not be open to the public. Traffic resulting from operation vehicle trips is expected be typical of Light Industrial (L-I) land uses and would not substantially increase capacity of the adjacent roadway segments within the project vicinity.

The Proposed Project would temporarily generate vehicle trips during construction over a period of six to seven months; the majority of trips generated during the grading phase of site construction. These trips would be minimal and temporary and would not conflict with the performance of the street system. Compliance with the City's circulation design standards and contribution to the TUMF program would ensure that the Proposed Project would adversely affect the existing roadway system. A less than significant impact is expected and no mitigation measures are required.

- b) *Would the project 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?*

No Impact. The Riverside County Transportation Commission (RCTC) is responsible for preparing a Congestion Management Program (CMP) to manage regional transportation. The CMP identifies growth management strategies that link land use, transportation, and air quality issues to effectively implement programs that alleviate traffic congestion. The CMP includes coordination with local agencies, the County of Riverside, transit agencies and sub-regional agencies like CVAG. As the acting Congestion Management Agency, the RCTC is also responsible for maintain a uniform database of traffic impacts for use in a countywide transportation computer model; specifically, the Coachella Valley Area Transportation System (CVATS) sub-regional transportation model and the Riverside Transportation Analysis Model (RIVTAM) to analyze traffic impacts as a result of development and land use plans. The most current version of the Highway Capacity Manual sets the standards for measuring traffic congestion. Any segment or intersection within the CMP system must meet the minimum standard of LOS E. The Proposed Project is consistent with the City's General Plan. Traffic as a result of implementation of the Proposed Project is not expected to contribute to an exceedance of a level of service standards identified in the CMP individually nor cumulatively.



- c) *Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. The project is not located within proximity to an airport and therefore would not result in impacts air traffic patterns. No mitigation measures are required.

- d) *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

No Impact. Currently, the Project site is located on vacant land. Access to the project site would be provided by both Two Bunch Palms Trail and Little Morongo Road. Off-site improvements including street paving of ingress/egress access driveways would be required to implement the project. These proposed improvements would be reviewed by the City and Riverside County Fire Department to ensure compliance with local development standards regarding roadway ingress/egress designs and to verify that implementation of the Proposed Project would not result in traffic safety impacts. The Proposed Project does not include incompatible uses or design features that would substantially increase hazards. No mitigation measures are required.

- e) *Would the project result in inadequate emergency access?*

No Impact. The Proposed Project is required to comply with the City of Desert Hot Springs and the County of Riverside Fire Department site plan design review requirements and standards by providing sufficient access for emergency response vehicles. The proposed site plan provides one primary vehicular access point located on Two Bunch Palms Trail to access to the proposed parking lot.

The Proposed Project would provide appropriate signage including a legible site name, address numbers, and site access points. In accordance with Chapter 15.24 of the Desert Hot Springs Municipal code, security gates, controlled access key boxes, operational fire hydrants, and extinguishers are required to be installed on-site. As previously described in item d), off-site improvements including street paving of ingress/egress access driveways along Two Bunch Palms and Little Morongo Road would be installed in accordance with City design review standards. The Project would not result in inadequate emergency access, and no mitigation measures are required.



- f) *Would the project result in inadequate parking capacity?*

No Impact. The Project would provide 15 parking spaces in accordance with City requirements. The Project would have sufficient parking, and no mitigation measures are required.

- g) *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features?*

Currently, there are no pedestrian or bicycle pathways located along Two Bunch Palms or Little Morongo Road. The SunLine Transit Agency provides bus services to the City of Desert Hot Springs through Lines 14 and 15. Line 14 is the closest route to the Project site and has a stop approximately 1.25 miles east of the Project site. Although facility employees may use public transportation, implementation of the Proposed Project is not anticipated to substantially increase demand for public transit or hinder existing service. Required street and sidewalk improvements on Two Bunch Palms Trail are expected to enhance existing conditions related to pedestrian, bicycle, and transit mobility and would not conflict with an applicable City goal or policy related to circulation. No mitigation measures are required.

17. UTILITIES AND SERVICE SYSTEMS

- a) *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Less Than Significant Impact. The Project site is located within the MSWD sewer service area. There are two wastewater treatment plants operated by City of Desert Hot Springs: the Horton Sewer Treatment plant, located on Verbena Drive, south of Two Bunch Palms Trail, and the Desert Crest Sewer Treatment Plant, located off of Dillon Road, just east of Long Canyon Road. (Desert Hot Springs 2000). The Horton Sewer Treatment Plant has capacity for approximately 2 million gallons per day (gpd) and the Desert Crest Sewer Treatment Plant has capacity for approximately 180,000 gpd (Desert Hot Springs 2000).

Wastewater generated by the Proposed Project is not anticipated to exceed wastewater treatment requirements by the Colorado River Regional Water Quality Control Board. As part of the Proposed Project, the Project applicant is seeking a CUP. Compliance with the CUP in addition to review oversight by the MSWD would ensure compliance with all current and applicable wastewater treatment requirements. The Proposed Project will not significantly impact



wastewater treatment requirements of the applicable Regional Water Quality Control Board.

- b) *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?*

Less Than Significant Impact. The Project site is currently undeveloped vacant land and currently not served by existing utilities. MSWD would provide domestic water and wastewater service to the project site. Existing infrastructure located along Little Morongo Road and Two Bunch Palms Trail would allow the Proposed Project to connect into existing infrastructure. The Proposed Project would be reviewed by MSWD to ensure wastewater capacity and current wastewater treatment requirements as described in Section 8. Hydrology and Water Quality. Connection fees will be collected by MSWD to help offset the cost of sewer installation; however, no new or expanded treatment facilities are anticipated as a result of construction and operation of the Proposed Project. The Proposed Project would not significantly impact existing water or wastewater facilities, nor result in expansion of these existing facilities and no mitigation measures are required.

- c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Less Than Significant. The Proposed Project would introduce impervious surfaces including buildings, paving, and other hardscape. As described in Section 8. Hydrology and Water Quality, to reduce changes to local drainage conditions, the Proposed Project would implement BMPs as part of a SWPPP to comply with the NPDES Permit construction requirement. Project drainage would be directed to on-site detention basins located on the south portion of the site. The Proposed Project would not require new or expanded storm water facilities and no mitigation measures are required.

- d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Less Than Significant. MSWD is responsible for distributing domestic water to the City of Desert Hot Springs. The existing MSWD distribution system provides potable water to the City primarily through extraction of groundwater from the Mission Creek subbasin (City of Desert Hot Springs 2000). According to the MSWD 2010 Urban Water Management Plan, the Mission Springs subbasin is currently in overdraft condition. Through agreements with the Coachella Valley Water District and Desert Water Agency, the City of Desert Hot Springs is



currently in cooperation with the MSWD and other agencies/jurisdictions to implement a groundwater replenishment program to ensure the function and sustainability of the Mission Creek subbasin (Desert Hot Springs 2015).

As described previously, the project proposes to connect into the existing infrastructure located along Little Morongo Road and Two Bunch Palms Trail. The MSWD would be responsible for identifying water conservation methods such as plumbing fixtures and drip irrigation systems to ensure compliance with the current water conservation guidelines put forth as conditions of approval during the City of Desert Hot Springs review process. Furthermore, as described previously for installation of new sewer facilities, installation and connection fees in place at the time of development will be collected by MSWD for domestic water supply. The Proposed Project will not significantly impact water supplies and no mitigation measures are required.

- e) *Would the project result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less Than Significant. Wastewater generated from the Proposed Project is expected to be minor relative to the capacity of the current wastewater treatment facilities described above under item a). Wastewater would be transported to MSWD for treatment through the existing sewer pipeline system and powered by pump stations. As described previously, wastewater improvements will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs. The Proposed Project would not significantly impact wastewater treatment capacity and no mitigation measures are required.

- f) *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Less Than Significant. Desert Valley Disposal (DVD) provides solid waste disposal and recycling services for the City of Desert Hot Springs (City of Desert Hot Springs 2000). The Edom Hill Transfer Station collects commercial waste and recycling which is then transferred to a permitted landfill or recycling facility outside the Coachella Valley. Permitted landfills may include the Badlands Disposal Site, El Sobrante Sanitary Landfill, and Lambs Canyon Disposal Site. Solid waste typically generated by cultivation facilities would be minimal due to composting practices. The Proposed Project would not have a significant impact on solid waste disposal services and no mitigation is required.



- g) *Would the project comply with federal, state, and local statutes and regulations related to solid waste?*

No Impact. As described previously in item f), the DVD provides solid waste disposal needs of the City of Desert Hot Springs, which includes the Project site. The Proposed Project is required to comply with all applicable solid waste federal, state, and local statutes and regulations and no mitigation measures are required.

18. MANDATORY FINDINGS OF SIGNIFICANCE

- 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, 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?*

Less Than Significant With Mitigation. With Mitigation Measures B-1 through B-5 and CR-1 through CR-3, impacts to fish and wildlife and California history and prehistory would be less than significant.

- 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)?*

Less Than Significant With Mitigation. With Mitigation Measures B-1 through B-5 and CR-1 and CR-3, the Project's contribution to cumulative impacts would not be considerable.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less Than Significant. The Project would not have substantial adverse direct or indirect impacts to human beings. No mitigation is required.



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City of Desert Hot Springs

Date: May 2016

Project Title: Conditional Use Permit 05-16

Project Name: SRP RE LLC Marijuana Cultivation Facilities APN 665-030-051

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