

Draft Initial Study and Mitigated Negative Declaration

**Application for Conditional Use Permit
DHS Properties Investments, LLC
Conditional Use Permit 11-16
Development Agreement 04-16**

Prepared for:

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



Prepared by:



MSA Consulting, Inc.
34200 Bob Hope Drive
Rancho Mirage, CA 92270

Desert Hot Springs Planning Department
Nathan Bouvet
Community Development Director
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240
760-329-6411 Ext. 250

TABLE OF CONTENTS

<i>Title</i>	<i>Page No.</i>
<i>Chapter 1 - Introduction</i>	
1.1 Purpose and Authority	3
1.2 Determination	4
1.3 Authority to Prepare a Negative Declaration	4
1.4 Public Review Process	4
<i>Chapter 2 – Project Summary</i>	
2.1 Project Location.....	5
2.2 Project Description	8
2.3 Mitigation Monitoring Program.....	11
<i>Chapter 3 – Environmental Checklist Form</i>	<i>14</i>
<i>Chapter 4 – Discussion of Environmental Topics</i>	<i>16</i>



CHAPTER ONE – INTRODUCTION

1.1 Purpose and Authority

This Initial Study and Mitigated Negative Declaration has been prepared to construct a medical marijuana cultivation facility 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) adopted October 9, 2015.

The City of Desert Hot Springs allows cultivation of marijuana for medical use within Industrial Districts with approval of a Conditional Use Permit (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 project proposes to construct a facility for the indoor cultivation of medical marijuana in accordance with Desert Hot Springs Municipal Code 5.50 (Medical Marijuana Facilities Regulatory Permit) and 17.180 (Medical Marijuana Facilities). The indoor cultivation facility consist of a single two (2) story building on approximately 1.07 gross acres of vacant land south of Two Bunch Palms Trail, between Little Morongo Road and Cabot Road. The site is relatively undisturbed, flat, vacant land with scattered vegetation. Square footage for each story will be approximately 15,275 square feet, combining for a total of 30,500 square feet to accommodate administration, packaging, and cultivation activities. Approximately 29,300 square feet will be dedicated for cultivation and processing. The entire site will be secured within tubular steel or wrought-iron perimeter fencing.

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 will serve as the lead agency pursuant to CEQA.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 3

1.2 Determination

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

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

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

1.4 Public Review Process

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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 4

CHAPTER TWO – PROJECT DESCRIPTION

2.1 Project Vicinity

The project is located on 1.05 net acres of undisturbed desert land on Two Bunch Palms Trail between Little Morongo Road and Cabot Road, in the City of Desert Hot Springs, California.

Total Project Area: 1.07 gross acres

Assessor's Parcel Number: 665-030-062

Section, Township & Range Description or reference:

POR of the NE ¼ of the NW ¼ of Section 1, Township 3 South, Range 4 East, San Bernardino Base Line & Meridian

The project property of approximately 1.05 net acres is located on Two Bunch Palms Trail between Little Morongo Road and Cabot Road. The property consists of vacant desert land with scattered vegetation. Land uses in the vicinity consist of vacant land to the north, religious uses to the west, and light industrial uses on the east and south.

The site is variably vegetated with slight to moderate amounts of typical native and invasive desert vegetation throughout the site. Topographically, the site is relatively flat with a high elevation of 994 in the NW corner and a low elevation of 989 in the SE corner. It drains from north to south at a gentle 1.5% grade. The entire site is within Federal Emergency Management Agency flood zone AO (1' depth, 5 feet per second velocity).

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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 5

Exhibit 1 Vicinity Map



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 6

Exhibit 2 Aerial Photograph



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 7

2.2 Project Description

The project proposes to construct a facility for the indoor cultivation of medical marijuana on approximately 1.05 net acres. The indoor cultivation facility consist of a single two (2) story building on vacant land, south of Two Bunch Palms Trail, between Little Morongo Road and Cabot Road. The site is relatively undisturbed with scattered vegetation. Square footage for each story will be approximately 15,275 square feet, combining for a total of 30,500 square feet to accommodate administration, packaging, and cultivation activities. Approximately 29,300 square feet will be dedicated for cultivation and processing.

The project includes a Conditional Use Permit (Municipal Code 17.180.090), Regulatory Permit (Municipal Code Chapter 5.50), and a Development Agreement. Approval of these entitlements will render the project in full compliance with City regulations. In addition, all medical marijuana cultivation operations and any related activities, such as transportation, manufacturing, and testing, are required to comply with all relevant State laws and any future law that may be enacted.

Architectural enhancements are proposed to promote an improved building aesthetic from the adjoining public streets. To achieve this, the building façade fronting Two Bunch Palms Trail would consist of three (3) dimensional forms and architectural elements in the style of desert contemporary. Contrasting earth tone hues are proposed to visually enhance the architectural features and elements. The overall architectural character will be that of an attractive, well-maintained industrial building. Site perimeter will be enclosed with wrought-iron or tubular steel fencing to enhance visuals and secure perimeter.

Landscaping has been designed to balance aesthetic, water use and security objectives. Along Two Bunch Palms Trail, landscaping will consist of low level plantings and wrought iron 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 will also include drought-tolerant flowering trees and shrubs typically found in the region. Landscape irrigation will use drip or micro-spray applicators to avoid overwatering and promote water efficiency. The easterly portion of the site outside the security fence will remain in its existing natural condition.

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

Circulation and parking is consistent with City parking standards. Off-Street parking standards for Medical Marijuana Cultivation uses are not specifically defined in the City Zoning Code. Therefore, parking ratios for similar uses including Office (1 space per 250 square feet) and



plant nurseries (1 space per 2,500 square feet) are used, resulting in a requirement of 19 total parking spaces. 2 of these parking spaces will be dedicated for ADA parking. In total, the project proposes to provide 19 parking spaces. Ingress and egress to the site will be provided from Two Bunch Palms Trail via two gated access points. All sides of the building are readily accessible by fire vehicles using onsite driveways and all driveways and parking areas will be paved. The most westerly gate and entrance will serve for emergency access purpose only. All entries will be monitored by onsite security personnel. Knox box entry will be available for emergency access by use of police and fire personnel.

Operations would be similar to that of a standard retail nursery without onsite sales. When fully staffed, operations will include 8 - 12 full time positions. These roles will be responsible for oversight, compliance reporting, general cultivation, and processing. Operational hours will be Monday - Saturday from 7 a.m. to 4 p.m. Security cameras will be monitored and supplemented with onsite security staff to be in full compliance with local ordinances. All staff will be subject to thorough background checks as per City regulations. It is the applicant's intent to hire a diverse and local team of talent.

All processing will take place within the headhouse facility including propagation, curing, processing, potting, transplanting and shipping. The facility is organized such that processing is controlled and closely monitored to ensure the safety of staff and the tracking of all medical marijuana products. Other uses may include extracting oils from the Cannabis plants using Fire Department approved CO₂ equipment. All finished product will be packaged and loaded onto delivery trucks within a secure, enclosed garage area within facility. Deliveries will occur as-needed.

The project site plan is shown in Exhibit 3.



Exhibit 3 Site Plan



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 10

2.3 Mitigation Monitoring Program

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 part of the project development.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 11

Table 2-1
Mitigation Monitoring Program

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
IV. Biological Resources	BR-1: The project proponent shall ensure that the applicable MSHCP Local Development Mitigation Fee is paid to the City. The time of payment must comply with the City's Municipal Code (Chapter 3.40).	Developer	Prior to building permits	Less than significant
	BR-2: The project proponent shall ensure that burrowing owl clearance survey is performed not more than 30 days prior to project site disturbance (grubbing, grading, and construction). If any owls are identified, the most current protocol established by the California Department of Fish and Wildlife (Burrowing Owl Mitigation) must be followed.	Developer Planning Dept.	Prior to grading and other ground disturbing activities	Less than significant
V. 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 recommended mitigation if the resource is culturally significant. The archaeologist 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



Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
V. Cultural Resources	CR-2: The applicant shall ensure that any excavations deeper than 10-15 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.	Planning Department Qualified Archaeologist	During grading and other ground disturbing activities	Less than significant
	CR-3: 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 grading and other ground disturbing activities	Less than significant
	CR-4: 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 the 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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 13

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

CHAPTER THREE – ENVIRONMENTAL CHECKLIST

1. **Project Name:** DHS Properties Investments, LLC
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:**
Nathan Bouvet
Community Development Director
760-329-6411, ext. 250
4. **Project Location:**
See Exhibits 1 and 2
5. **Project Applicants' Name and Address:**
DHS Properties Investments, LLC
Wendy Block
12833 Chalon Road
Los Angeles, CA 90049
6. **General Plan Designation:** I-L Light Industrial District
7. **Zoning Designation:** I-L Light Industrial District
8. **Description of Project:** To process a Conditional Use Permit to construct a medical marijuana facility specifically geared for cultivation. The project would develop a single 30,550 square foot, two story building for the indoor cultivation of medical marijuana. Square footage for each story will be approximately 15,275 square feet to accommodate administration, packaging, and cultivation activities. Approximately 29,000 square feet will be dedicated for cultivation and processing and 1,600 square feet for office space. The project is located on approximately 1.05 net acres of undeveloped desert land.
9. **Surrounding Land Uses and Setting:** Surrounded on the north by vacant land. Religious uses and light industrial development are found to the west, and light industrial uses to the east and south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** None.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 14

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agriculture Resources | ☐ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☐ Geology /Soils |
| ☐ Greenhouse Gases | ☐ Hazards & Hazardous Materials | ☐ Hydrology / Water Quality |
| ☐ Land Use / Planning | ☐ Mineral Resources | ☐ Noise |
| ☐ Population / Housing | ☐ Public Services | ☐ Recreation |
| ☐ Transportation/Traffic | ☐ Utilities / Service Systems | ☐ Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 15

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

CHAPTER FOUR – ENVIRONMENTAL CHECKLIST

Issues:

I. AESTHETICS -- Would the project:

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

☐☐☒☐

Discussion:

The project encompasses approximately 1 acre of undeveloped land located on the south side of Two Bunch Palms Trail. The property is found approximately 460 feet west of Cabot Road and 1,260 feet east of Little Morongo Road. The property forms part of a light industrial land use sector that has been designated in the Desert Hot Springs General Plan to support business parks and the development of industrial uses operating in enclosed buildings. Existing establishments in this vicinity include automotive repair shops, storage facilities, light manufacturing facilities and religious services. Moreover, multiple developed and undeveloped properties within the City's Light Industrial zoning district have been approved or are seeking approval for the cultivation of medical marijuana. Medical marijuana facilities are permitted within light industrial districts of the City, but are subject to additional development and operational restrictions pursuant to Desert Hot Springs Municipal Code Chapters 5.50 and 17.180.

The visual character of the site and its surroundings is distinguished by developed facilities, which are intermixed with vacant properties with flat topography and scattered vegetation in the same zoning sector. Many of the existing structures consist of metal buildings with low-pitch roofs, and a mass and scale proportional to the parcel size and operation or service being supported. A majority of the lots in the local vicinity are greater than one acre in size. Furthermore, the district is separated from the City's residential and commercial districts, a condition which helps reduce land use incompatibility.

The City of Desert Hot Springs area has varying distinguished views of surrounding topographic features and mountain ranges. The perception and uniqueness of scenic vistas from a particular site can vary according to the location and surrounding context. Views can be altered by the presence and intensity of man-made neighboring improvements, such as structures or landscaping. The proximity and massing of structural features, such as industrial buildings and infrastructure, interacts with the natural environment to either enhance or obstruct views. In the City of Desert Hot Springs, development tends to be limited to one or two-story structures with limited massing. Larger commercial and industrial buildings tend to have a mass and scale that is appropriate for the zoning district and size of parcels on which they are located.

The project property is presently vacant and predominantly flat with scattered vegetation coverage, primarily consisting of native and invasive desert scrub. There are no salient topographic features or other visual landmarks on the site or its general surroundings. The project site is bordered on the north by Two Bunch Palms Trail, followed by vacant land and an unimproved access road leading north to a fenced Mission Springs Water District well site. To the west, the adjoining parcel is undeveloped with a



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 16

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

similar size and condition. To the east and south, the properties are developed with existing buildings and have recently been approved for the cultivation of medical marijuana. These parcels, which are separated from the project by existing chain-link fencing, include low-pitch metal buildings with downward-oriented, wall-mounted light fixtures for nighttime illumination. The local streets near the project do not have light posts or illuminated traffic signals. There are no existing or planned residential uses or schools within a 1,350-foot radius of the project limits.

The undeveloped project property has distant and partially obstructed views of the Santa Rosa and San Jacinto Mountains to the southeast, south, southwest and west. Views of the Little San Bernardino Mountains to the northwest, north and northeast are relatively unobstructed due to the lack of development in those directions. All visible mountain ranges are located over a mile from the project site and none have a formal designation as a scenic vista in relation to the project setting.

The proposed cultivation project includes one two-story building to accommodate cultivation, processing, and administration operations. The proposed structure has a floor area of 30,550 square feet, which consists of approximately 15,275 square feet on each floor. The proposed building would be north-facing with a desert contemporary architectural style and a maximum height of 33 feet. The proposed site design allocates a parking lot with one primary and one emergency gated driveway on the north frontage. Trash enclosures are designated near the southeast corner of the project. The landscaping design identifies native plantings along the project perimeters. Proposed lighting in the parking lot and drive aisles of the Project would provide the necessary downward-oriented nighttime illumination for safety and facility security. The combined elements of the project facilities within fenced limits are designed provide the proper space functionality while maintaining a positive aesthetic quality. In the context of the existing setting and land use designation, the proposed project is not anticipated to adversely alter the existing viewshed on any scenic vistas and less than significant impacts are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

The project property of approximately 1 acre is characterized by largely flat, vacant land with scattered vegetation. It is one of multiple vacant lots interspersed throughout the designated light industrial zoning district. The project site does not contain any landmarks or scenic resources, such as trees, rock outcroppings, such that would be damaged by the proposed development. The project is not located within close proximity to any designated state or county scenic highway. According to the Circulation Element of the Riverside County General Plan Update, the nearest roadway deemed eligible to be a County Scenic Highway is a segment of Pierson Boulevard, located approximately 1 mile to the north. Interstate 10, located approximately 3.1 miles to the south, is also considered eligible to be a County



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 17

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Scenic Highway. The purpose of the State Scenic Highway Program is to preserve and protect scenic State highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State highways can be officially designated as Scenic Highways or be determined to be eligible for designation. The status of a state scenic highway changes from eligible to "officially designated" when a local jurisdiction adopts a scenic corridor protection program and the California Department of Transportation (Caltrans) approves the designation as a Scenic Highway. The proposed site plan, architectural design, and landscaping design would not result in adverse impacts to scenic resources within a state scenic highway or other local transportation corridor. Less than significant impacts are expected.

Mitigation Measures: None

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

☐☐☒☐

Discussion:

The proposed Project includes one two-story building with a maximum height of 33 feet. The height and setbacks of the proposed facilities will be required to comply with the local standards for industrial development, therefore matching the existing visual character in relation to nearby industrial facilities. Consistent with the existing land use standards, the proposed medical marijuana cultivation will only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation operations and all marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation of medical marijuana. On-site improvements also include parking lot facilities and interior drive aisles with lighting facilities for nighttime security illumination. The proposed landscaping along the project perimeter and along the Two Bunch Palms Trail Frontage will help enhance the visual character of the streetscape in a manner that is compatible with the local desert environment. Moreover, project site design, architecture and landscape architecture on the property will require review and approval by the City of Desert Hot Springs to ensure that aesthetic considerations of the community are addressed in the proposed design. Less than significant impacts are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

The Project property is presently undeveloped; therefore, there are no existing sources of glare or light on-site. Similarly, the undeveloped land to the north and west also does not constitute an existing source of substantial light or glare. Existing development to the east and south includes metal buildings with wall-mounted, downward-oriented light fixtures for nighttime illumination. The construction material and architectural coating on these neighboring structures does not have highly reflective properties



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 18

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

considered to be a source of day-time glare. Two Bunch Palms Trail does not have street lighting or illuminated traffic signals. Therefore, day-time glare and night-time lighting can be attributed to vehicular traffic on this roadway.

Construction materials of the proposed building include insulated metal wall panels combined with fine sand finish plaster components, roll-up metal doors, metal canopies and aluminum doors and windows. The proposed finishes include desert sand, gray and other natural tones. These building materials are expected to have partial solar reflectivity and would not have the highly reflective properties that would cause substantial daytime or nighttime glare.

The project would incorporate outdoor illumination for nighttime safety and facility security in addition to streetlights along Two Bunch Palms as required by the City's Engineering Department, thus addressing the site security requirements established in Municipal Code Chapter 5.50. The proposed lighting will be installed for parking and interior drive aisle safety. The project's new source of lighting will be required to conform to the City's Outdoor Lighting Standards, which are established to preserve low ambient lighting levels while maintaining security considerations.

Specifically, the proposed nighttime illumination will be implemented in accordance with a project-specific lighting plan, thus subject to review and approval by the City of Desert Hot Springs to ensure consistency with the Municipal Code. The lighting plan will be required to identify exterior lighting that is energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the project property. The light fixtures would be directed downward and away from adjoining properties and the public right-of-way. The proposed lighting shall provide face recognition at 100 feet and satisfy the review and considerations raised by the Planning and/or Police Departments. Less than significant impacts are expected.

Mitigation Measures: None

II. AGRICULTURE RESOURCES – Would the project:

- 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?

☐☐☐☒

Discussion:

The proposed project will not disturb or convert any designated farmland or other form of agricultural resource. According to the 2012 California Farmland Mapping and Monitoring Program the property is designated as "Urban Built-up Land". Urban Built-up Land is used to identify properties occupied by structures that are residential, industrial, commercial, construction, institutional, public administration, cemeteries, airports, golf courses, sanitary landfills, sewage treatment and water control devices.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 19

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

A significant portion of the City of Desert Hot Springs is categorized as Urban Built-up Land. Properties to the west and south are designated Urban and Built-Up Land also. The properties to the north and east are designated as "Other Land". Other Land often includes low density rural development, brush, timber, wetland and riparian areas not suitable for livestock grazing, strip mines, borrow pits, and water bodies smaller than 40 acres. Any vacant and nonagricultural land surrounded by urban development and greater than 40 acres is mapped as Other Land. The subject property site and surrounding land to the north, east, south and west is not categorized as Prime Farmland, Unique Farmland, or Farmland of local statewide importance, no impacts are expected.

Mitigation Measures: None

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

☐☐☐☒

Discussion:

As described above, the project site is not located in existing zoning for agricultural use or classified as farm land. Furthermore, according to the Williamson Act Land Map FY 2015/2016, no portion of land within a one-mile radius is recognized as being under a Williamson Act Contract. The proposed project will not impact or remove land from the City or County's agricultural zoning or agricultural preserve. No impacts are expected.

Mitigation Measures: None

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

☐☐☐☒

Discussion:

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

Mitigation Measures: None

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

☐☐☐☒

City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 20

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Discussion:

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

Mitigation Measures: None

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

☐☐☐☒

Discussion:

The project proposes medical marijuana cultivation facility that will adhere to the City's General Plan land use designations and zoning ordinances. As previously described, the project site and vicinity are designated as Light Industrial (I-L). The existing environment contains industrial and commercial facilities, and infrastructure such as roadways and utilities. No farmland or forest land is situated within or adjacent to the project therefore no impacts are expected.

Mitigation Measures: None

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?

☐☐☒☐

Discussion:

The Project site and City of Desert Hot Springs are located in the Coachella Valley region within the Salton Sea Air Basin (SSAB), under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). As previously discussed, the undeveloped project property has a designation of Light Industrial under the City's General Plan and Zoning ordinance. Light industrial districts in the City were established to accommodate business parks and the development of industrial uses. The Project site is separated from residential and populated land uses. The nearest residential property to the Project is located approximately 1,350 feet to the northwest, on the west side of Little Morongo Road outside of the City's jurisdiction (unincorporated Riverside County). Residential uses are also located approximately 2,500 feet to the northeast of the Project; north of Two Bunch Palms Trail and east of Cholla Drive.

By being located within an industrial district in the City, the project is consistent with the permitted locations established under Municipal Code Chapter 17.180. Medical marijuana cultivation facilities



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 21

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

(involving the cultivation of more than 99 mature flowering plants) may be located in any Industrial District in the City, upon issuance of a conditional use permit, and a regulatory permit. Consistent with the existing land use standards, the proposed medical marijuana cultivation shall only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation operations and all marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation of medical marijuana. The proposed cultivation facility will be compatible with the existing land use designation on and around the property and is not expected to conflict with the General Plan buildout conditions or obstruct with implementation of its applicable air quality objectives.

The Final 2007 and 2012 Air Quality Management Plans (AQMP) serves as policy guides for decision-making related to air quality throughout the region. The most recent plan provides strategies for controlling air pollution, maintenance and attainment in order to achieve state and federal attainment levels. Project implementation does not involve a General Plan Amendment or other revision that would provide directly or indirectly for increased population growth above the level projected in the adopted AQMP. The project will not interfere with the ability of the region to comply with federal and state ambient air quality standards. Projects that are consistent with local General Plans are considered consistent with the air quality related regional plans including the current AQMP, the PM10 CVSIP and other applicable regional plans. The proposed project is a permitted use in the existing zone and shall comply with the corresponding development standards. Development is consistent with the growth projections in the City of Desert Hot Springs General Plan and is considered to be consistent with the AQMP.

The Project would not result in or cause violations to the National Ambient Air Quality Standards or California Ambient Air Quality Standards. The Project's proposed land use designation for the subject site does not materially affect the uses allowed or their development intensities as reflected in the adopted City General Plan. The Project is therefore considered to be consistent with the AQMP and impacts related to air quality plans are expected to be less than significant following implementation of standard conditions within the plan and including but not limited to:

1. Development of the proposed project will comply with the provisions of Chapter 8.20 Fugitive Dust Control of the City of Desert Hot Springs, which includes implementation of Coachella Valley best available control measures as identified in the Coachella Valley Fugitive Dust Control Handbook.
2. A Fugitive Dust Control Plan will be prepared for the project outlining required control measures throughout all stages of construction.

Less than significant impacts are anticipated relative to conflict with or obstruction of implementation of the applicable air quality plan following the implementation of standard conditions.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 22

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

☐☐☒☐

Discussion:

The project site is located within the Salton Sea Air Basin, which has been designated by the California Air Resources Board as a nonattainment area for ozone (8-hour standard) and PM10. Violations of the air quality standards for ozone are primarily due to pollutant transport from the South Coast Air Basin. The SCAQMD has established significance thresholds for specific pollutants on individual projects. These thresholds related to project construction and long term operations are shown in the Mass Daily Thresholds table below. Project effects would be considered significant if the emissions exceed these thresholds. Project effects would also be considered potential significant if emissions affected sensitive receptors such as schools or nursing homes, or if the project conflicted with the regional AQMP and/or local air quality plans.

Table III-1

The following table illustrates SCAQMD's Air Quality Significance Thresholds:

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

Source: Air Quality Analysis Guidance Handbook, Chapter 5.

Prepared by the South Coast Air Quality Management District. www.aqmd.gov/ceqa/hndbk.html

The California Emissions Estimator Model (CalEEMod Version 2013.2.2; Released October 2, 2013) was utilized to estimate the short-term construction-related emissions of criteria air pollutants and greenhouse gas emissions that would be associated with the construction activities necessary to implement the proposed project (site preparation, grading, paving, building construction, and application of architectural coatings). The project construction parameters involved general light industrial facilities with a total building area of up to 30,550 square feet and 19 parking spaces. Default construction parameters incorporated in CalEEMod were accepted for those construction activities for which site-specific information is not currently available.

Table III-2 summarizes the unmitigated short-term emissions of the six criteria pollutants and greenhouse gases (CO2e) associated with the construction activities required to implement the proposed project that were estimated with CalEEMod. Peak day emissions estimates are provided by construction phase type and reflect activities in the season or year with the highest daily emissions. As shown, the unmitigated peak day air pollutant emissions during the construction phase with the highest projected emissions are not projected to exceed any of the applicable SCAQMD significance thresholds for short-term construction-related emissions.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 23

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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

	ROG	NOx	CO	SO2	PM10	PM2.5
Total Emissions	57.4089	23.6560	18.8256	0.0269	26.4227	4.3444
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded	No	No	No	No	No	No

The SCAQMD requires any emission reductions resulting from existing rules or ordinances to be included as part of the unmitigated project emissions. Those measures that are legally mandated and therefore required of all developments by applicable ordinances, rules, and regulations are not considered mitigation. Once the unmitigated project emissions have been determined, additional measures may be applied to reduce any potentially significant air quality impacts to the maximum extent feasible and identify the net project emissions.

Chapter 15.84 in the City of Desert Hot Springs Municipal Code outlines the minimum requirements for construction activities to reduce man-made fugitive dust and corresponding PM10 emissions. The City will require the preparation of a Fugitive Dust Control Plan identifying the fugitive dust sources at the site and the work practices and control measures proposed to meet the City of Desert Hot Springs minimum performance. These standards are consistent with SCAQMD Rule 403 and 403.1 and require implementation of Coachella Valley Best Available Control Measures (CVBACM), as identified in the SCAQMD publication Coachella Valley Fugitive Dust Control Handbook. Fugitive dust control measures that are required to comply with the City Municipal Code are generally not considered mitigation by the SCAQMD. Compliance with applicable SCAQMD Rules and Regulations is not considered mitigation by the SCAQMD.

Project Operations

CalEEMod was also utilized to estimate the long-term operational air pollutant emissions that would result from implementation of the proposed project. CalEEMod default values for the project-related weekday trip generation, the disposal of solid waste into landfills, as well as water, wastewater, and energy usage were assumed to quantify the project-related greenhouse gas emissions.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 24

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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

Emission Source	ROG	NOx	CO	SO2	PM10	PM2.5
Total Area Sources, Energy Use, Mobile Sources	2.0948	3.2648	12.4474	0.0234	1.4919	0.4453
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded	No	No	No	No	No	No

Based on the CalEEMod results, none of the projected daily emissions of the six criteria pollutants are expected to exceed the SCAQMD thresholds of significance associated with long-term operational impacts. Based upon the projected emissions of the criteria air pollutants, the proposed project would have less than significant impacts relative to short term and long-term impacts to air quality.

Mitigation Measures: None

- 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)?

☐☐☒☐

Discussion:

The Coachella Valley is designated by the California Air Resources Board as nonattainment for ozone, based on exceedances of both the state 1-hour and 8-hour standards; and for PM10, based on exceedances of the state 24-hour and annual average standards. Adherence to the SCAQMD rules and regulations and compliance with locally adopted AQMP and PM10 State Implementation Plan (SIP) control measures will help reduce the pollutant burden contributed by the individual development project. Appropriate air quality measures are required by the City of Desert Hot Springs and implemented through enforcement of the *Desert Hot Springs Municipal Code (Chapter 15.84)* consistent with SCAQMD Rules 403 and 403.1.

As mentioned, relative to PM10 threshold exceedance, construction associated with a future project will be required to adhere to the City's Fugitive Dust and Erosion Control policies and ordinance to reduce potential temporary construction related emissions. An approved Fugitive Dust (PM10) Control Plan will be required prior to issuance of a grading permit. Implementation of the Fugitive Dust Control Plan is required to occur under the supervision of an individual with training on Dust Control in the Coachella Valley (Rule 403 and 403.1). The plan will include methods to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 25

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. The most widely used measures include proper construction phasing, proper maintenance/cleaning of construction equipment, soil stabilization, installation of track-out prevention devices and wind fencing.

Project-related construction emissions are not expected to exceed the SCAQMD mass daily regional significance thresholds. Therefore, the project will not result in a cumulatively considerable net increase of NOx and ROG emissions during construction activities. Since project-related emissions would be consistent with the *Air Quality Management Plan*, the *Coachella Valley PM10 SIP*, and all SCAQMD Air Quality Significance Thresholds, long-term operational air quality impacts associated with the project should not be considered cumulatively considerable. Less than significant impacts are anticipated.

Mitigation Measures: None

- d) Expose sensitive receptors to substantial pollutant concentrations?

☐☐☒☐

Discussion:

Land uses considered by the SCAQMD to be sensitive receptors include residential, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, child-care centers, retirement homes, and athletic facilities among others. The undeveloped project site and its surroundings do not include these facilities or land uses. As previously discussed, the Project property has a Light Industrial General Plan and Zoning designation by the City. Neighboring land to the north and west is presently in a vacant condition. To the east and south, the Project is bordered by developed properties with active or recently active light industrial uses.

As previously discussed, the project is not located near any residential uses. During construction, the project is expected to produce temporary and localized emissions, which based on the Air Quality Study's modeling results would not exceed the SCAQMD mass thresholds of significance. Implementation of the required SCAQMD rules, best available dust control measures and the City's Fugitive Dust Control and Erosion Control policies will reduce those temporary impacts, preventing pollutants emissions from reaching any substantial concentrations.

During the life of the project, activities and operations related to the proposed dispensary are not expected to generate emissions concentrations that exceed the SCAQMD mass thresholds. The traffic generated by the proposed project would not contribute significantly to an increase in the frequency or severity of violations of the ambient air quality standards or sensitive receptors in the project vicinity. Less than significant impacts are anticipated.

Mitigation Measures: None

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

☐☐☒☐

City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 26

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

Discussion:

As previously discussed, the vacant project property is situated within an industrial district of the City with partial development. This area of the City is designated to support business parks and the development of industrial uses operating in enclosed buildings. Existing industrial establishments near the project site include automotive repair shops and light manufacturing facilities. Some structures are unoccupied and some properties remain undeveloped.

Objectionable odors can be associated with toxic or non-toxic emissions. While offensive odors seldom cause physical harm, they can be unpleasant and lead to considerable annoyance and distress among the public. The SCAQMD has compiled a list of facilities and operations that tend to produce offensive odors. Examples of such facilities that commonly generate odors include wastewater treatment plants, sanitary landfills, composting/green waste facilities, recycling facilities, petroleum refineries, chemical manufacturing plants, painting/coating operations, rendering plants, and food packaging facilities. Certain facilities, land uses and populations are considered more likely to experience concern over odors. These include retirement homes, residences, schools, playgrounds, child-care centers, and athletic facilities among others.

The project property is not located near sensitive receptors, such as residences, retirement homes, schools, playgrounds, child-care centers or athletic facilities. The nearest residential land uses to the Project are located approximately 1,350 feet to the northwest; west of Little Morongo Road and north of Two Bunch Palms Trail, outside of the City's jurisdiction (unincorporated Riverside County). Residential uses are also located approximately 2,500 feet to the northeast of the Project; particularly east of Cholla Drive and north of Two Bunch Palms Trail. The nearest school facility to the Project is Two Bunch Palms Elementary School, located approximately 3,800 feet to the east, specifically at the southeast corner of West Drive and Two Bunch Palms Trail.

Operations involved with the proposed Project can generate natural odors associated with plant blossoms. As mandated by Municipal Code Chapter 5.50 and 17.180, all medical marijuana cultivation activities are only allowed in the interior of enclosed structures, facilities, and buildings. Cultivation operations are not allowed to be visible from the exterior. To comply with the conditional use permit requirements, the project operator must provide the necessary odor control, ventilation and filtration systems for the cultivation and office areas of the structures sufficient to ensure that City requirements for odor control are met. The ventilation system would include the proper filtration systems to effectively control any objectionable odors produced in the facility interiors. As a result, the project is expected to result in minimal exterior plant odors and is not identified on the SCAQMD list as common sources of odor emissions. Project operations will not be permitted to generate any smoke, fly ash, dust, fumes, vapors, gases odors, or other forms of air pollutions which exceed the threshold levels established by the SCAQMD or the City of Desert Hot Springs. Less than significant impacts related to objectionable odors are anticipated.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 27

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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? ☐



Discussion:

In December of 2015, James W. Cornett Ecological Consultants conducted project-specific *General and Focused Biological Resources Assessments*. The assessment area covered the entire Project property and extended approximately 100 yards beyond the west and north boundaries. It was not possible to survey 100-yards to the south and east of the property due to the presence of fenced private property. The biological surveys and analyses were designed to ascertain the impacts of proposed development on the potential biological resources of the project site and immediate vicinity, as mandated by CEQA and required by the City of Desert Hot Springs.

The specific objectives of the biological survey are listed below:

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

Survey methodology included reviews of the literature and institutional records to determine biological resources that are known to exist within the general area and to determine the possible occurrence of sensitive species. The review included a search in the California Natural Diversity Database (updated in November of 2015). Field surveys were conducted in November of 2015. Daytime field surveys were conducted on November 14, 15, 21, 22, 26 and 28, 2015. Night surveys were conducted on November 14, and 15, 2015. Animal surveys were conducted simultaneously with plant surveys. In addition, twenty live-animal traps (which capture animals unharmed) for large and small mammals were set



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 28

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

within the project site for twenty-four hour periods on November 14, and 21, 2015. Invertebrate sampling was conducted on the evenings of November 14 and 21, 2015. Two Bioquip Light Traps were used for attracting and live-capturing flying insects and some terrestrial arthropods. Black lights were the attracting mechanism with each trap powered by a 12-volt automobile battery. Traps were placed for maximum visibility.

Surveys were conducted by walking north/south transects at 10-yard intervals through the project site and 100 yards beyond the west and north boundaries. Due to the presence of surrounding and fenced private properties, it was not possible to conduct physical surveys to the east and south boundaries of the property, but binocular surveys were conducted in these off-site areas. The survey techniques used during this assessment have been approved by the U.S. Fish and Wildlife Service for determining the presence of absence of the burrowing owl and desert tortoise and represents an intensive survey effort that resulted in no officially listed or federally protected species being overlooked.

The project property was observed to be predominantly flat. No bodies of standing water, no streams and no washes are present on the site. No blue-line stream corridors or desert wash habitat was found within the project boundaries and none are shown on the U.S. Geological Survey maps for the project site nor are there botanical indicators of such corridors. There should be no need to obtain streambed alteration permits from state or federal agencies.

Soil characteristics are uniform over the entire site. Soil is composed of coarse sands and some wind-blown alluvium created by persistent air movements from the west. However, as a result of development to the immediate west, soil stabilization is present. Disturbed desert scrub habitat is found to the immediate west and north of the project site. Light industrial uses occur to the immediate west and north of the project site.

The biological survey found that a single plant association or community was on site: the Sonoran creosote bush scrub community. The Sonoran creosote bush scrub community dominates vegetation of the entire site and is the pervasive plant community throughout the Coachella Valley and Colorado Desert of southeastern California. The Coachella Valley milk vetch is an uncommon, spring-blooming ephemeral herb that is known to occur on sandy soils in the area of the project site. During the biological survey a single individual was found near the northwest corner of the project site, on the 14th Avenue road shoulder. The milk vetch is listed as an endangered by the U.S. Fish and Wildlife service. Impacts to the milk vetch are fully mitigated by the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) through the payment of the plans mitigation fees. Per the project specific Biological Assessment, no further action is necessary with regard to this species.

No evidence was recorded of breeding migratory birds, including the western burrowing owl, a protected species and one not functionally covered under the Plan. The site is considered suitable habitat for the owl and owls might take up residence on site at any time. Based upon the recommendation of the California Department of Fish & Wildlife, a focused burrowing owl survey should be conducted not more than 30 days prior to site disturbance. The burrowing owl is protected in the United States by the Migratory Bird Treaty Act of 1918.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 29

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

The Migratory Bird Act prohibits harming the owl and therefore mitigation that is approved by U.S. Fish & Wildlife (USFWS) is generally required. At present time the USFWS approves of the form of mitigation provided in the "Staff Report on Burrowing Owl Mitigation" prepared by the California Department of Fish & Wildlife (CDFW). Based upon the recommendation of the California Department of Fish & Wildlife, a focused burrowing owl clearance survey should be conducted not more than 30 days prior to site disturbance (grubbing, grading, and construction).

The project site is not located adjacent to a Conservation Area of the CVMSHCP but is located within the plans fee area. There are no restrictions or guidelines regarding Conservation Areas that are applicable to this project.

The study concluded that no significant adverse impacts to biological resources in the region are expected to result from project implementation. Therefore, the project would not have a substantial adverse impact on candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

The studies recommended two measures: 1) Conduct a burrowing owl clearance survey not more than 30 days prior to site disturbance, and 2) contact CVAG to determine the precise mitigation fee applicable under the CVMSHCP. This form of mitigation is itemized as BR-1 and BR-2 in this section of the Initial Study.

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

Mitigation Measures:

BR-1: The project proponent shall ensure that the applicable MSHCP Local Development Mitigation Fee is paid to the City. The time of payment must comply with the City's Municipal Code (Chapter 3.40).

BR-2: The project proponent shall ensure that burrowing owl clearance survey is performed not more than 30 days prior to project site disturbance (grubbing, grading, and construction). If any owls are identified, the most current protocol established by the California Department of Fish and Wildlife (Burrowing Owl Mitigation) must be followed.

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

☐☐☒☐

Discussion:

The biological survey performed on the project property did not find any on-site naturally occurring



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 30

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

springs, permanent aquatic habitats, drainages or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. No blue-line stream corridors or desert washes were found within the project boundaries.

Because the project would disturb more than one acre, temporary construction activities associated with these improvements would be subject to National Pollutant Discharge Elimination System (NPDES) requirements to ensure that required construction site best management practices are implemented to reduce off-site impacts. The project applicant will also be required to develop and implement a Project-Specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The plan will be reviewed and approved by the City.

The Project-Specific WQMP involves a detailed strategy of site design, source controls, treatment controls and on-going maintenance measures to address post-construction runoff quality and quantity. Such compliance and implementation protects the receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. The strategy of best management practices identified in the site plan includes an on-site retention facility designed and sized to collect and control urban runoff generated by the project. The quality and quantity of runoff generated by the project is controlled, preventing impacts to any downstream resources. As a result of the absence of significant wash or riparian vegetation, absence of sensitive plant species and absence of sensitive animal species, less than significant impacts to desert wash or riparian habitats are expected.

Mitigation Measures: None

- 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?

☐
☐
☐
☒

Discussion:

According to the project specific Biological Resource Assessment, the project site does not contain federally protected wetlands, marshes or other drainage features. According to the National Wetlands Inventory from the United States Fish and Wildlife Service (USFWS), there are no wetlands or riparian resources on the project property. Furthermore, the Biological Resources Assessments did not identify naturally occurring springs or permanent aquatic habitats in or near the project site boundaries. No blue-line stream corridors (streams or dry washes) are shown on U.S. Geological Survey maps for the project site nor are there botanical indicators of such corridors.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 31

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

As a result, implementation of the project would not result in the direct removal, filling or other hydrological interruption to any of these resources. The proposed on-site storm drain improvements include retention facilities to prevent the direct discharge and hydro-modification impacts of runoff. A Project Specific Water Quality Management Plan (WQMP) is expected to be prepared to ensure that the project does not contribute pollutants of concern in any project storm runoff. No impacts are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

Per the project specific General and Focused Biological Resources Assessment, no evidence of migratory wildlife corridors or native wildlife nursery sites exist on the project site or adjacent properties. The Coachella Valley region contains potential habitat for the burrowing owl, which is protected in the United States by the Migratory Bird Treaty Act of 1918. The Migratory Bird Act prohibits harming the owl and therefore, mitigation that is approved by the U.S. Fish & Wildlife (USFWS) is generally required. At present time the USFWS approves of the form of mitigation provided in the "Staff Report on Burrowing Owl Mitigation" prepared by the California Department of Fish and Wildlife (CDFW).

The Biological Assessments performed at the project site included surveys approved by the U.S. Fish & Wildlife Service for determining the presence or absence of the burrowing owl. The surveys revealed no evidence of the western burrowing owl. However, the site conditions are considered suitable habitat for the owl. Based upon the recommendation of the California Department of Fish & Wildlife, a focused burrowing owl clearance survey should be conducted not more than 30 days prior to site disturbance (grubbing, grading, and construction). This measure is specified in Mitigation Measure BR-1 of this Initial Study. Less than significant impacts are expected to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, provided that the procedures established in Mitigation Measure BR-2 of this Initial Study are implemented pertaining to the burrowing owl.

Mitigation Measures: See BR-2

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

☐☐☐☒

Discussion:



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 32

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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

Mitigation Measures: None

- 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?

☐☒☐☐

Discussion:

The project lies within the boundary of the CVMSHCP, which outlines policies for conservation of habitats and natural communities. However, the Project is not located within or adjacent to a designated Conservation Area under this plan. Therefore, there are no specific requirements or restrictions regarding this project in relation to a Conservation Area.

The CVMSHCP implements a habitat mitigation fee from new development to support the acquisition of conservation lands. The fee would be applied per Chapter 3.40 of the Desert Hot Springs Municipal Code (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fees). Based on these provisions, the applicable fees would be collected by the City and remitted to the Coachella Valley Conservation Commission (CVCC) at issuance of a certificate of occupancy or upon final inspection of the premises, whichever occurs first. The project is expected to comply with provisions of the CVMSHCP. Less than significant impacts would result from project implementation provided the following Mitigation Measure BR-1 is implemented.

Mitigation Measures: BR-1

V. CULTURAL RESOURCES –Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?

☐☐☐☒

Discussion:

The project is located on 1.05 acres of undeveloped land within a partially developed industrial district in the City of Desert Hot Springs. This area of the City is designated as a Light Industrial (I-L) District which supports business parks and the development of industrial uses operating in enclosed buildings. This district is largely segregated from the City's residential and commercial uses, a condition which is intended to reduce land use incompatibility. Existing industrial establishments in the vicinity are mostly



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 33

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

west of the project site and include automotive repair shops, light manufacturing facilities and religious service facility. The project specific Historical/Archaeological Resources Survey Report prepared by CRM Tech (May 2016) found no evidence of any settlement or land development activities on or near the project area. The research methods performed by CRM Tech as part of this assessment includes a comprehensive records search, Native American Scoping, consultation with local historical organizations, historical background research and an intensive-level field survey.

According to EIC records, the project area had not been surveyed for cultural resources studies prior to this study, and no historical/archaeological sites had been recorded on or adjacent to the property. Outside the project area but within a one-mile radius, EIC records show that more than 20 previous cultural resources studies on various tracts of land and linear features, collectively covering 40% of the land within the scope of the records research. Only one (1) historical/archaeological site has been recorded within the one-mile radius. Located approximately a half-mile north of the project area, Site 33-024248 (CA-RIV-11907) was recorded earlier in 2015 as early 20th century refuse scatter. According to the CRM Tech report, since this site was found well beyond the potential for effects by the proposed project, this historical site does not require any further consideration during this study.

Historical maps consulted for the project specific study suggest that the project area is relatively low in sensitivity for cultural resources from the historic period. No evidence of any settlement or development activities was noted within the project area throughout the 1850-1950s era. The unpaved forerunners of Two Bunch Palms Trail, first noted in the 1950's, was the earliest man-made feature known to be present in the immediate vicinity of the project area. The road was paved near the project location sometime between 1972 and 1996, and many of the buildings in the San Jacinto and Cabot Road, first noted in the 1950s, were the earliest man-made features known to be present in the immediate vicinity of the project boundaries. Both roads were paved near the project site sometime between 1972 and 1996, and all existing buildings in the neighborhood nearby date to that period as well. The project area meanwhile has remained vacant and undeveloped to the present time.

Additionally, Native American input during this study did not identify any sites of traditional cultural value in the vicinity, and historic maps show no notable cultural features within the project area throughout the historic period.

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

Mitigation Measures: None

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?

☐☒☐☐

Discussion:

Archaeological resources are described as cultural resources, such as structures or objects that



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 34

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

provide evidence to past human activity. They are important for scientific, historic, and/or religious reasons to cultures, communities, groups or individuals.

As previously discussed, CRM Tech conducted a project and site specific study on historical and archaeological resources. The assessment included a records search, Native American scoping, historical background research and an intensive-level field survey. Observations by the investigators during the field survey did not encounter buildings or structures. However, two historical/archaeological sites are within a one-mile radius. Both of the recorded sites date back to the historic period, and both consisted mainly of refuse items. Site 33-024248, located approximately 0.45 miles northwest of the project area, was described as an early 20th century refuse scatter. Site 33-0133553, located one-mile southwest of the project area, was recorded as a cluster of early 20th century habitation debris, including refuse. No other sites, features, artifacts, or built-environment of prehistoric or historic age were encountered within the project area during the field survey.

The study concludes that there are no archaeological resources that could be adversely affected by the proposed project.

Furthermore, the Native American Heritage Commission sacred lands record did not indicate the presence of Native American resources with a half-mile radius of the project. The NAHC did recommend that additional local Native American groups be contacted for further information. Upon receiving the NAHC's response, CRM Tech sent written requests for comments to 11 Tribes. Five of the Tribal representatives contacted have responded in writing. Among them, are the Cabazon Band of Mission Indians, Morongo Band of Mission Indians, Augustine Band of Cahuilla Indians and the Agua Caliente Band of Mission Indians.

The Cabazon Band of Mission Indians, Morongo Band and Agua Caliente, each identify the project location as a part of their respective Tribe's traditional use area. However, the Cabazon and Morongo Tribes state, that they have no specific concern regarding this project. Further consultation is deferred to the Agua Caliente and the Morongo Band requests the implementation of their Standard Development Conditions. The Cabazon Band also requests archaeological monitoring of all ground-disturbing activities in the project area. The Agua Caliente Band of Cahuilla Indians, request proper treatment of human remains discovered during project development pursuant to the State of California Health and Safety Code 70505.5. The Augustine Band of Cahuilla Indians, recommends monitoring for buried Native American cultural resources during ground-disturbance in the project area. Less than significant impacts are expected following the recommended mitigation measures.

Mitigation Measures:

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 recommended mitigation if the resource is culturally significant. The archaeologist 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.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 35

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Discussion:

Per the Riverside County Land Information System, the property is recognized for having low potential for Paleontological Sensitivity. Areas recognized for having “low” potential have a reduced likelihood of containing significant non-renewable paleontological resources, including vertebrate or significant invertebrate fossils. Moreover, the site is not recognized as a unique paleontological or a unique geologic feature. However, per industry standards, excavations deeper than 10-15 feet should be monitored by a qualified paleontological monitor. Less than significant impacts are expected to paleontological resources following the recommended mitigation measures.

Mitigation Measures:

CR-2: The applicant shall ensure that any excavations deeper than 10-15 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. Additionally, the grading plan shall include a note that excavations deeper than 10 feet are planned (if any) and notification of such planned excavations be provided by the grading engineer to the Planning Department.

CR-3: 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 cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resource Code 21074?	☐	☐	☒	☐
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion:

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

As previously discussed, the NAHC was contacted by CRM TECH as part of their research for the project and site specific historical and archaeological study. The Native American sacred land research did not indicate the presence of Native American resources with a half-mile radius of the project site. However, it was recommended that other local Native American groups be contacted for further information. CRM Tech contacted eleven (11) local Native American representatives. Five of the Tribal organizations contacted have responded in writing. Among them, are the Cabazon Band of Mission Indians, Morongo Band of Mission Indians, Augustine Band of Cahuilla Indians and the Agua Caliente



Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Band of Mission Indians.

Based on the correspondence as described in Section V-b), there are no tribal cultural resources as defined by Public Resource Code 21074 on the project site and less than significant impacts are expected.

Mitigation Measures: None

- e) Disturb any human remains, including those interred outside of formal cemeteries? ☐ ☒ ☐ ☐

Discussion:

The historical and archaeological reports prepared by CRM TECH for this project included intensive-level field observations of the entire site. The entire project area was closely inspected for evidence of human activities dating to prehistoric or historic periods. As discussed previously, two historic-period archaeological sites were recorded (Site 33-024248 and 33-013553) as being within the 1-mile radius. No other sites, features, artifacts, or built-environment features of prehistoric or historic age were encountered within the project area during the field survey.

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

Mitigation Measures:

CR-4: 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 the County Coroner and/or the Desert Hot Springs Police Department. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 37

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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?

☐☐☒☐

Discussion:

According to the project specific Geotechnical Investigation, Surface rupture is expected to occur along preexisting known active faults traces. However surface rupture could potentially splay or step from active faults or rupture along unidentified traces. The report further indicates that no known active faults are mapped on or projecting towards the site. Signs of active surface faulting were not observed during the review of the non-stereo digitized photographs of the site and site vicinity. Finally, no signs of active surface fault rupture or secondary seismic effects (lateral spreading, lurching etc.) were identified onsite during field investigations. Risks associated with primary surface ground rupture should be considered "low." Less than significant impacts are anticipated.

Per the General Plan EIR No known active faults traverse the project site or are found near it. GP EIR EXHIBIT V-1: Faults in the Desert Hot Springs General Plan Area, indicate that the nearest Alquist-Priolo Fault Zone is located approximately 1.5 miles to the northeast and labeled the Mission Creek Fault. Alquist-Priolo Maps are corroborated by the Riverside County Seismic Faults and Fault Zones database and by the Desert Hot Springs EIR Map. The nearest seismic feature to the project site is the Coachella Valley Segment of the San Andreas Fault Zone. This southwest trending zone (presumably the Zone also mapped in Alquist-Priolo maps) is located approximately 1.5 miles northeast of the site. Surface rupture occurs when movement on a fault deep within the earth breaks through to the surface. The GP EIR indicates that fault ruptures usually follow preexisting faults, which are zones of weakness.

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

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 38

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Strong seismic ground shaking?	☐	☐	☒	☐

Discussion:

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

The Geotechnical Investigation for the property states that the site has been subjected to past ground shaking by faults that traverse through the region. Strong seismic shaking from nearby active faults is expected to produce strong seismic shaking during the design life of the proposed project.

The General Plan Geotechnical Section indicates that, during an earthquake ground rupture and ground shaking are the most significant seismic hazards that will impact the Desert Hot Springs planning area. Critical parameters include whether foundations and/or structures straddle the fault, distance between the fault and various portions in the City, the maximum credible earthquake each fault is capable of generating, the intensity of ground shaking expressed as a fraction of the acceleration of gravity (g), and the Modified Mercalli (MM) seismic intensity values that have been calculated for the City. In general, peak ground accelerations and seismic intensity values decrease with increasing distance from the causative fault. However, local site conditions, such as the top of ridges, may amplify the seismic waves generated by an earthquake, resulting in higher accelerations.

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

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

Mitigation Measures: None

iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion:

The Geotechnical Investigation indicates that liquefaction is the process in which loose, saturated granular soil loses strength as a result of cyclic loading. The strength loss is a result of a decrease in granular sand volume and a positive increase in pore pressure. Generally, liquefaction can occur if all



Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

of the following conditions apply: liquefaction susceptible soil, groundwater within a depth of 50 feet or less and strong seismic shaking.

The chance for hazards associated with liquefaction is considered low in the Desert Hot Springs area, principally because of the approximate depth to ground water. The exception includes lands located immediately adjacent to and on the north side of the Banning and Coachella Valley (Mission Creek) Faults, which dike ground water and allow it to rise within 50 feet of the surface. Effects of liquefaction include a loss of bearing strength, ground oscillations, lateral spread and slumping. The project is located a minimum of 1.5 miles from the nearest of the faults, Mission Creek Fault.

The Geotechnical investigation further states that, according to the County of Riverside, the site is situated within a "moderate" liquefaction potential zone. Based on review of groundwater maps (>50 feet below ground surface) and past experience with the area, risks associated with liquefaction and liquefaction related hazards should be considered negligible. Less than significant impacts are expected.

Mitigation Measures: None

iv) Landslides?

☐☐☒☐

Discussion:

According to the Geotechnical Investigation, no signs of slope instability in the form of landslides, rock falls, earthflows or slumps were observed at or near the subject site. Risks associated with slope instability should be considered "low."

Per the General Plan Geotechnical Element, The project is not located near an area of Seismically Induced Rock Falls and Landslide Susceptibility. Exhibit V-2 of the Geotechnical Element indicates that the closest area with moderate susceptibility to landsliding is approximately 2.0 miles to the west which is an isolated geological feature referred to as Devers Hill. Additionally, the hazard of landsliding is unlikely due to the relatively flat topography of the property, therefore, less than significant impacts are expected relative to landslides or slope instability.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

Remedial grading including over-excavation and re-compaction will be required. Site soils are susceptible to wind and water erosion, standard construction measures to reduce seasonal flooding impacts, including waterborne erosion, will be incorporated into the site grading plans. These include the onsite retention of 100 percent of the incremental increase of storm water. To address windborne soil erosion, adequate paving, landscape and other means of stabilization will be incorporated into the project. These plans will be prepared and submitted to the City for approval.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 40

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

Relative to waterborne erosion, the entire project and its immediate surroundings are located within Zone AO and is identified as being subject to inundation by the 1-percent-annual-chance storm with shallow flooding (usually sheet flow in sloping terrain) at an average depth of one (1) feet and a velocity of five (5) feet per second; For areas of alluvial fan flooding.

All buildings are proposed to be constructed with pads well over 1-foot above existing elevation. The rest of the site will be graded to convey the shallow flows across the site, and continue along the existing flow path.

The project's Preliminary Hydrology Report indicates that offsite run-on to the site is collected and conveyed through the proposed project site, and continues along the existing flow direction in a sheet flow manner. The project will not increase existing runoff, or otherwise impact adjacent properties. The worst case scenario increase of the pre- and post-construction runoff would be adequately contained in the underground retention system. All onsite 100-year peak discharges would drain into one retention facility via surface and piped flows. Proposed construction would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth.

The initial stages of project construction include grading activities that would alter existing conditions on the property by removing topsoil and vegetation. These temporary impacts during construction will be addressed by the required preparation, approval and implementation of a project specific Storm Water Pollution Prevention Plan, further discussed in the Hydrology section of this document, as well as a Fugitive Dust (PM10) Control Plan, further discussed in the Air Quality section of this document.

The project will be conditioned to comply with the recommendations and Design Criteria in the project specific Investigation. Compliance with adopted procedures for grading and erosion will mitigate impacts associated with grading. The following conditions will be implemented:

- All future grading shall be performed in accordance with the grading ordinance of the City of Desert Hot Springs.
- The project contractor shall adhere to the recommendations contained within the project specific Geotechnical Investigation throughout grading and construction activities.
- A grading plan that outlines measures to contain any run off shall be prepared and submitted to the City for approval.

The project proponent shall prepare and implement (throughout all construction activities) a Stormwater Pollution Prevention Plan (SWPPP) and a Fugitive Dust (PM10) Control Plan. Less than significant impacts are anticipated.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 41

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐

Discussion:

According to the project specific Preliminary Hydrology Study the project's hydrologic Soil Group is A, and is defined by RCFCD as – “those soils having high infiltration rates. These soils consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.”

The onsite area has an elevation drop of approximately 5 feet, from the northwest to the southeast, at a 1.5% grade. As discussed previously hazards associated with liquefaction, lateral spread and offsite landslides are not expected.

The GP EIR states that ground subsidence is the gradual settling or sinking of the ground surface with little or no horizontal movement. This phenomenon is usually associated with the extraction of oil, gas or ground water from below the surface, but it may also occur as a result of an earthquake. The 4-meter high scarp on the west side of Devers Hill indicates that uplift has occurred within the Desert Hot Springs Area. Devers Hill is approximately 2.0 miles west of the subject property.

The Geotechnical Investigation indicates that land subsidence can occur in valleys where aquifer systems have been subjected to extensive groundwater pumping such that groundwater pumping exceeds groundwater recharge. Generally, pore water reduction can result in a rearrangement of skeletal grains and could result in elastic (recoverable) or inelastic (unrecoverable) deformation of an aquifer system.

Published literature indicates that the upper Coachella Valley region between 1996 and 2005 has been subjected to groundwater withdraw related subsidence (USGS 2007). Although recent investigations have documented significant subsidence within the Coachella Valley (USGS, 2007), no fissures or other surficial evidence of subsidence were observed at the subject site. At this time subsidence is considered a regional problem requiring regional mitigation not specific to the project vicinity. Locally, no fissures or other surficial evidence of subsidence were observed at or near the project site.

According to the GP EIR Soil collapse typically occurs in recently deposited soils that were deposited in an arid or semi-arid environment. The alluvial sediments which comprise much of Desert Hot Springs are prone to collapse, which can result from surface irrigation. Remedial grading including proper preparation and compaction of project soil will be required and indicated in project specific grading plans which will be reviewed and approved by the City.

The project will be conditioned to comply with the recommendations and Design Criteria within the Project Specific Geotechnical Investigation. Less than significant impacts are expected.



Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Mitigation Measures: None

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

☐☐☒☐

Discussion:

According to the General Plan Geotechnical Section, expansive soils are those which include a significant amount of clay and are subject to swelling. Expansive soils can change in volume and can exert significant pressure on loads (such as buildings) that are placed on them. In the General Plan study area, expansive soils are not generally considered a hazard because of the relatively minor amount of clay present in the soils. Where expansive soils may occur is in the Qf3 and Qf4 soils, which generally occur north of the Mission Creek Fault and in the vicinity of Whitewater Hill. The property is approximately 1.5 miles southwest of the Mission Creek Fault and 4.75 miles east of Whitewater Hill.

According to the project specific Geotechnical Investigation, generally, the site surface soil consists of sand. (SW/SM/SP). Based on the results of laboratory testing (EI=0), the materials underlying the site are considered to be non-expansive and the risk of structural damage caused by volumetric changes in the subgrade soil should be considered "negligible."

Less than significant impacts are anticipated.

Mitigation Measures: None

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

☐☐☐☒

Discussion:

The project does not propose to utilize septic tanks or alternative disposal systems. Mission Springs Water District provides waste water conveyance and treatment in this area and will provide service to the project. No impacts are anticipated.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 43

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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?

☐☐☒☐

Discussion:

Greenhouse gas (GHG) is a gaseous compound in the Earth's atmosphere that is capable of absorbing infrared radiation, thereby trapping and holding heat in the atmosphere. Common greenhouse gases in the earth's atmosphere include: water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone, and to a lesser extent chlorofluorocarbons. Carbon dioxide is the main GHG thought to contribute to climate change. Carbon dioxide reflects solar radiation back to Earth, thereby trapping solar energy and heat within the lower atmosphere. Human activities (such as burning carbon-based fossil fuels) create water vapor and CO₂ as byproducts, thereby impacting levels of GHG in the atmosphere.

To address the long-term adverse impacts associated with global climate change, implementation of *The Governor's Executive Order S-3-05* would reduce greenhouse gas (GHG) emissions in California 80 percent below 1990 levels or 90 percent below current levels by the year 2050. Achieving this objective would contribute to efforts made around the globe to stabilize the global climate by capping GHG concentrations.

With the passage of the California Global Warming Solutions Act of 2006 (Assembly Bill 32) in California, environmental documents for projects pursuant to CEQA are required to analyze greenhouse gases and assess the potential significance and impacts of GHG emissions. Additionally, in 2013, the City of Desert Hot Springs adopted their Climate Action Plan (CAP) that includes policies that applicable to new development for the reduction of GHGs. The construction related and operational emissions of CO₂ equivalent are less than the SCAQMD interim threshold of 10,000 MT/year for industrial facilities. The proposed cultivation facility will add a new land use, and as a result, an increase in greenhouse gas emissions is expected.

CalEEMod (The California Emissions Estimator Model/CalEEMod Version 2013.22) was utilized to estimate the long-term operational air pollutant emissions and the greenhouse gas emissions that would result from implementation of the proposed project. The annual GHG emissions associated with the operation of the proposed cultivation facility is 433.580 CO₂e per year as summarized in Table VII-1. Direct and indirect operational emissions associated with the project are compared with the SCAQMD threshold significance for all land use projects, which is 10,000 MTCO₂e per year. Less than significant impacts are expected.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 44

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

**Table VII-1
Greenhouse Gas Annual Emissions Summary**

	Emissions (metric tons per year)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ E
Area	8.9000e-004	0.0000	0.0000	9.4000e-004
Energy	152.9637	5.5800e-003	1.9300e-003	153.6803
Mobile Sources	227.2915	8.9500e-003	0.0000	227.4795
Waste	7.6893	0.4544	0.0000	17.2322
Water Usage	28.5656	0.2314	5.6900e-003	35.1879
Total CO₂E (All Sources)	433.5809			

Source: CalEEMod™ output.

Note: Totals obtained from CalEEMod and may not total 100% due to rounding.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

California's Global Warming Solutions Act of 2006 (AB32) required the California Air Resources Board (CARB) to establish a greenhouse gas (GHG) emissions cap for the year 2020 and adopt the mandatory reporting rules for significant sources of GHG. The SCAQMD adopted the interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to projects where the SCAQMD is the lead agency. Additionally, the City of Desert Hot Springs has adopted a Climate Action Plan (CAP) to help reduce greenhouse gas emissions or support reduction strategies resulting from development. The project will implement energy efficient methods such as optimizing the use of natural light for plant growth and water efficient irrigation for plants and landscape design.

The project is consistent with current General Plan and zoning policies of Light Industrial (I-L) and is not anticipated to conflict with the plan and policies established under Assembly Bill 32, Senate Bill 375 or Senate Bill 97. Therefore, less than significant impacts are expected.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 45

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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?

☐☐☒☐

Discussion:

The proposed medical marijuana cultivation facility will include a single 2-story building on approximately 1.05 acres of vacant land located just south of Two Bunch Palms Trail, and between Little Morongo Road and Cabot Road. The site is relatively undisturbed, flat, vacant land with scattered vegetation. Square footage for each story will be approximately 15,275 square feet, combining for a total of 30,550 square feet to accommodate administration, packaging, and cultivation activities. Approximately 28,878 square feet will be dedicated for cultivation and processing. The entire site will be secured within tubular steel or wrought-iron perimeter fencing. The project will not involve the use or storage of hazardous materials other than organic certified fertilizers and California approved natural pesticides and fungicides. These materials will be stored and applied according to manufacturer's instructions to mitigate the potential for incidental release of hazardous materials or explosive reactions. The nature of this project does not involve the management, routine transport, use or disposal of substantial amounts of hazardous materials as a primary function or operation.

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

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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 46

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

The proposed medical marijuana cultivation operation is not expected to involve the routine transport, use or disposal of hazardous materials in quantities or conditions that would pose a hazard to public health and safety or the environment. Gas service is not available at the Project site. As a result, it is necessary for the Project to install an on-site liquid propane tank system for this service. This system would be installed in a designated south portion of the property and meet the applicable separation requirements. As such, the proposed liquid propane facilities would not be situated near any other proposed structures. Liquid propane is a liquefied flammable gas and is therefore regulated as a hazardous material. Hazardous Materials Regulations are found in Title 49 of the Code of Federal Regulations (CFR) 172.101 (DOT HMR). Hazardous materials are categorized into nine major hazard classes and additional categories for consumer commodities and combustible liquids. Out of the nine classes of hazardous materials, propane is categorized in Class 2: Gases (Divisions 2.1, 2.2, and 2.3).

Construction and installation of the liquid propane tank will conform to the latest edition of the ASME Code for Pressure Vessels (Section VIII Division 1), and the California Code of Regulations Title 8, Chapter 4 (Department of Industrial Relations), Subchapter 1 (Division of Industrial Safety). The proposed liquid propane tank facilities will also be required to comply with the National Fire Protection Association 58 (NFPA 58), Liquefied Petroleum Gas Code and with the local fire protection regulations. These regulations are applicable to all aspects of the facilities, including the tank's structural integrity, supporting equipment and safety mechanisms. NFPA 58 requires the installation of control safety devices both on containers and in transfer piping to minimize the accidental release of LP-Gas, either liquid or vapor. The transport of liquid propane to the project site will be regulated under the U.S. Department of Transportation, which establishes mandatory safety procedures for the transport of this material.

Consistent with the local codes regulating light industrial districts and medical marijuana facilities, all proposed cultivation operations would only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation operations and all marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation of medical marijuana. The proposed cultivation activities would occur within the proposed structure while supporting operations would take place in the corresponding facilities. Less than significant impacts are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

The Project site is located within a light industrial land use sector of the City that is separated from residential or other densely populated land uses. As previously discussed, the project is not expected to handle any significant quantities of hazardous materials. The management of propane gas as a utility



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 47

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

service will occur in accordance with the National Fire Protection Association 58 (NFPA 58), Liquefied Petroleum Gas Code and with the fire protection regulations. Any other use of potentially hazardous substances is expected to occur in small quantities and managed on-site with the proper containment and facilities, as required by the industry standards.

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

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

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

Mitigation Measures: None

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

☐☐☒☐

Discussion:

The project site is not located within one-quarter mile of an existing or proposed school. The nearest existing school, Two Bunch Palms Elementary School, is located approximately 0.8 miles east of the project. As previously discussed, the project site would be developed to operate as medical marijuana cultivation facility within fenced limits and with security measures to ensure that only employees and



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 48

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

authorized individuals gain access to the site. The nature of the project would not involve the use or handling of hazardous substances in quantities or conditions that would result in the release of hazardous emissions, materials or waste. To further minimize any potential public exposure to accidental risks, proper construction and safety measures will be implemented and temporary impacts during construction will be further mitigated by standard operational procedures and protocols as well as Best Management Practices (BMPs). Less than significant impacts are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

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

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

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

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

In June 2016, a search was performed on all three database platforms. The search results did not identify any records or sites in connection with the project property. The *GeoTracker* and *EnviroStor* database results did not identify any Leaking Underground Storage Tank (LUST) Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks on or around the project property.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 49

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

The ECHO database search results identified the following two sites near the project.

- Spectrum Custom Design: 65242 San Jacinto Lane, Desert Hot Springs, CA 92240

This property is located southwest of the Project. It is registered under the Resource Conservation and Recovery Act (RCRA) as an active small quantity generator (SQG). The RCRA identification is CAR000088690 and the Facility Registry Service (FRS) identification is 110012246694. This facility is also registered in the Air Emissions Inventory (EIS) under the Clean Air Act (ID 10116211). According to the current compliance status under RCRA, there are no violations reported on this site. This property has been approved for cultivation of medical marijuana and the current registered facilities and operations will be discontinued.

- Desert Stage Lines: 65100 San Jacinto Lane, Desert Hot Springs, CA 92240

This property is located approximately 650 feet southwest of the Project. It is registered under the Resource Conservation and Recovery Act (RCRA) as an active small quantity generator (SQG). The RCRA identification is CA0000133629 the Facility Registry Service (FRS) identification is 110002613477. According to the current compliance status under RCRA, there are no violations reported on this site.

Less than significant impacts related to significant hazard to the public or the environment are expected.

Mitigation Measures: None

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

☐☐☐☒

Discussion:

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 7 miles to the south. No impacts are anticipated.

Mitigation Measures: None

- 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?

☐☐☐☒

City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 50

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Discussion:

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

Mitigation Measures: None

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

☐☐☒☐

Discussion:

The Emergency Preparedness Element of the City's General Plan is designed to address concerns regarding the City's capability to respond to potential natural or man-made disasters. The Element sets forth goals, policies and programs to ensure an effective response. Critical Facilities, Emergency Transportation and Circulation, Emergency Medical Facilities, Emergency Operations Center, Emergency Organization and Chain of Command, and Extended Organizational Structure and Assistance are identified as important components of that strategy.

The City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) for a full range of fire protection services provided 24 hours a day 7 days a week. The RCFD is staffed with a combination of County and State of California Department of Forestry & Fire Protection employees. They operate 96 fire stations that serve 1,360,000 residents over 6,970 miles of Riverside County. The City of Desert Hot Springs has two RCFD fire stations, Battalion 10, Station 36; located at 11535 Karen Avenue is approximately 2.8 miles from the project site. Battalion 10, Station 37 is the City's busiest fire station and is located at 65-958 Pierson Blvd, approximately 4.2 miles from the proposed project. Both stations are staffed by 8.2 full time personal and each shift has 3 professionals consisting of a Fire Captain/and or engineer and one or two Firefighter II / licensed paramedic on duty at all times. Each station is also equipped with a Type I, 1500 GPM fire engine.

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

In addition to the sites proposed primary access point. The proposed site plan incorporates an additional emergency access driveway on Two Bunch Palms Trail. The proposed design would be subject to a standard review process by the Riverside County Fire Department to ensure that the site-specific emergency access, water pressure, and other pertinent criteria are met by the project. Less than significant impacts are expected.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 51

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Mitigation Measures: None

- 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?

☐☐☒☐

Discussion:

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

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

The Riverside County RCIP and the Cal Fire Maps for Western Riverside County indicate that project and its surroundings are located outside of the Very High Fire Hazard Severity Zone (FHSZ) for Local Responsibility Area and outside of the Very High/High/Moderate FHSZ for State and Federal Responsibility Areas. The project site is not located on or near any wildfire areas. As previously discussed, the project will include the on-site fire protection facilities necessary to satisfy the local Fire Department requirements. Less than significant impacts related to wildland fire are expected.

Mitigation Measures: None

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

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

☐☐☒☐

Discussion:

The Clean Water Act (CWA) of 1972 establishes regulations pertaining to the discharge of pollutants to waters of the U.S. from point sources. Subsequent amendments to the CWA in 1987 established a framework for regulating non-point source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). In the State of California, the State Water Resources Control



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 52

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs) administer the regulation, protection and administration of water quality pursuant to the NPDES. Their regulations encompass storm water discharges from construction sites, municipal separate storm sewer systems (MS4s), and major industrial facilities. The proposed Project and the City of Desert Hot Springs are located within the Whitewater River Watershed in the Colorado River Region (Region 7).

The proposed project will disturb an area equal to or greater than one acre; therefore, it is subject to 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). Compliance with the CGP requires the development and implementation of a project-specific Stormwater Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality during the period of construction. The required plan will identify the locations and types of construction activities requiring best management practices (BMPs) and other necessary compliance measures to prevent stormwater runoff pollution. The plan will also identify the limits of allowable construction-related disturbance to prevent any exceedances or violations. Based on the project location and setting, the SWPPP is expected to require a temporary sediment track-out prevention device at the construction entrance/exit point on Two Bunch Palms Trail. This BMP will provide stabilization at the access point(s) to prevent sediment track-out and fugitive dust emissions. Linear sediment barriers would be installed along portions or the entire construction area perimeter as deemed necessary. Construction activities would also be subject to good site housekeeping requirements pertaining to street sweeping, proper waste management, proper material handling and storage.

During construction, the project will also be required to comply with South Coast Air Quality Management District's (SCAQMD) Rule 403 and 403.1, which prompt the requirement for preparation and implementation of a Fugitive Dust (PM10) Control Plan. Although implementation of the Fugitive Dust Control Plan largely pertains to air quality, it also supports water quality protection objectives through the requirement of soil stabilization measures to prevent sediment erosion and track out. The concurrent implementation of the required SWPPP and Dust Control Plan plans will prevent the potential construction-related impacts to water quality at the site and its surroundings, therefore resulting in less than significant impacts.

The Project site plan is designed with an on-site underground stormwater retention system that during the life of the project will comply with the Stormwater Management and Discharge Controls per Chapter 13.08 of the Desert Hot Springs Municipal Code (Ordinance #1997-03). Compliance with the ordinance will help minimize the discharge and transport of pollutants associated with the new development though the control of volume and rate stormwater runoff, therefore preventing any potential violations or inconsistencies with the local requirements. Less than significant impacts are expected.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 53

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	☐	☐	☒	☐

Discussion:

Groundwater is the principal source of municipal water supply in the Coachella Valley. The project is underlain by the Mission Creek groundwater sub-basin, which along with the Garnet Hill sub-basin occupies the northern portion of the Coachella Valley and forms part of the larger Coachella Valley Groundwater Basin. This basin is managed under the Mission Creek and Garnet Hill Subbasins Water Management Plan, operated by the Coachella Valley Water District, the Desert Water Agency and the Mission Springs Water District. The Water Management Plan identifies long-term strategies to address current and future water demands in this area. The project is located within the service boundary of the Mission Springs Water District.

The proposed development of approximately one acre will be expected to implement water conservation measures to reduce impacts to public water supplies. These measures include low-flow plumbing fixtures, drought-tolerant (native) outdoor landscaping, and water-efficient irrigation systems in the growing areas of the project. Additional domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process. The project site design is not expected to interfere with groundwater recharge conditions. The project includes an on-site retention system to collect and infiltrate stormwater runoff. This facility is located in the south portion of the property. This method of stormwater management will therefore facilitate groundwater recharge through infiltration. Infiltration opportunities are also provided in the form of pervious cover areas included in the landscaping design. Less than significant impacts are expected.

Mitigation Measures: None

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
--	--------------------------	--------------------------	-------------------------------------	--------------------------



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 54

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Discussion:

The Project's regional setting is distinguished by coalescing alluvial fans formed by washes originating from the Little San Bernardino and San Gorgonio Mountains to the north and northwest. In particular, the Project is located east of Mission Creek and west of the Big Morongo Wash. Mission Creek is an earthen channel located approximately 2,500 feet to the west within the Upper Mission Creek/Big Morongo Canyon Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). This drainage course carries flows predominantly in a southeast direction and does not traverse the Project property. The Big Morongo Wash drainage course is located approximately 800 feet to the east of the Project property within the Morongo Wash Special Provisions Area of the CVMSHCP.

As described in the Desert Hot Springs General Plan, the Big Morongo Wash drains from the Little San Bernardino Mountains. The mouth of Big Morongo Creek is located approximately one mile east of Highway 62 and approximately 4 miles northwest of the Project site, from which the wash flows in braided channels down the alluvial plain. The drainage crosses Indian Avenue in two locations and crosses the southwest corner of Mission Lakes Country Club before continuing south. The Big Morongo Wash confluences with the Little Morongo Creek at approximately one-half mile south of Mission Lakes Boulevard and west of Little Morongo Road. Flows from existing and planned drainage facilities within the Desert Hot Springs Area Master Drainage Plan also contribute drainage at this general location.

In the Project vicinity, FEMA has designated a large 100-year floodplain. Specifically, the Project has a Zone AO FEMA designation, subject to inundation by the 100-year (1-percent-annual-chance) flood with a depth of one (1) feet and an average velocity of five (5) feet per second. The current Zone AO designation encompasses undeveloped and developed properties.

Project implementation would involve permanent site improvements on approximately 1 acre, therefore introducing impervious surfaces in the form of one building, paving, and hardscape to the previously undeveloped (pervious) land. The nature of the project in relation to the parcel size requires ample utilization of the entire property to accommodate the proposed facilities and operations (structure, parking lot, drive aisles, etc.). As a result, opportunities to minimize imperviousness through the use of landscaping, natural areas, or other pervious coverage are limited. Based on the Preliminary Hydrology Report, at project completion, approximately 84 percent of the project's hydrologic area will consist of impervious coverage (building, access roads, parking, and sidewalks) while the remaining 16 percent of the area will have pervious coverage in the form of landscaped areas.

To prevent considerable changes to local drainage conditions (patterns, quantities, or velocities) that can potentially result in adverse erosion and sedimentation impacts, the project would incorporate a storm drain system. The Project would include an underground retention system on the south-end of the property. Stormwater runoff from throughout the project, including parking areas, hardscape and roof drainage, would be carried southward to this retention facility via surface and piped conveyances. The facility is expected to have a capacity of approximately 1,951 cubic feet, which is sufficient to retain the incremental increase of runoff volume between the pre- and post-construction condition for the controlling storm event, as well as the Whitewater Watershed design storage volume (961 cubic feet) for water quality purposes. The proposed structure is expected to have flood protection improvements



Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

for protection from larger storm events. Offsite tributary flood flows will be conveyed through the site and allowed to pass through the site in a sheet flow manner. The proposed improvement plans will be subject to agency review and approval ensure that the proposed grading and drainage conditions are acceptable to the City standards. As a result, following implementation of an approved grading plan, the project is not anticipated to alter the course of a stream or wash (particularly the Big Morongo Wash) in a manner that would result in erosion or siltation on- or off-site. Less than significant impacts relative to the existing drainage pattern and erosion or siltation are expected.

Mitigation Measures: None

- 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?

☐☐☒☐

Discussion:

The proposed project of approximately one acre would introduce impervious surfaces (hardscape, asphalt, rooftops, etc.) to a presently undeveloped (pervious) ground surface. This conversion would typically result in a site-specific increase in the rate and amount of surface runoff. To manage this on-site condition, the Project includes a storm drainage design (subject to approval by the City Engineer) with surface and piped conveyances draining into one proposed retention system with a volume capacity to accept and infiltrate the worst-case increase in runoff volume between the pre- and post-development condition resulting from the controlling storm event. Offsite tributary flood flows will be conveyed through the site allowed through the project area in a sheet flow manner. As a result, the proposed project and site design are not expected to alter existing drainage patterns of the area or result in any substantial increases in the rate or amount of surface runoff. Less than significant impacts are expected.

Mitigation Measures: None

- 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?

☐☐☒☐

Discussion:

The undeveloped project property and immediate surroundings are not closely supported by any engineered stormwater drainage facilities (catch basins, storm drain lines or engineered channels), but the project is located within the Whitewater River Watershed Municipal Separate Storm Sewer System



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 56

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

(MS4). Based on the local natural topography, runoff from the undeveloped project property and surrounding areas would have the propensity to sheet-flow toward the south and southeast, subsequently into the Big Morongo Wash, which is a natural drainage course.

As previously discussed, the project involves a proposed stormwater drainage system incorporated into the site plan and grading design. The system would allow for project runoff to drain via surface and piped flows into one proposed infiltration system situated on the south end of the property sized to retain the incremental increase in runoff between the pre- and post-development condition resulting from the controlling storm event. The grading design and improvement plans, which are subject to City review and approval, would ensure the project's post development runoff flow rates, volumes, velocities, and durations does not exceed the pre-development condition and therefore would not result in impacts to the existing receiving drainages. Less than significant impacts relative to runoff water are expected.

Mitigation Measures: None

- f) Otherwise substantially degrade water quality?

☐☐☒☐

Discussion:

The Project of approximately 1 acre would include one on-site retention system with a capacity to handle the site-specific Water Quality Management Plan (WQMP) design volume requirement, which is 961 cubic feet. The storm drain system will allow the project to comply with the Stormwater Management and Discharge Controls stipulated in Chapter 13.08 of the Desert Hot Springs Municipal Code (Ordinance #1997-03). These improvements are subject to approval. Adhering to this ordinance will help minimize the discharge and transport of pollutants associated with the new development though the control of volume and rate of stormwater runoff. Pursuant to this ordinance, the project is subject to various methods and standards for controlling stormwater volumes, rates, and pollutants, as deemed necessary for approval by the City's Director of Public Works.

The Project proponent will be required to develop and implement a Project-Specific Water Quality Management Plan (WQMP) to comply with the most current standards of the *Whitewater River Region Water Quality Management Plan for Urban Runoff* and the *Whitewater River Watershed MS4 Permit*. The Project-Specific WQMP will identify a strategy of site design, source controls, and treatment controls with a maintenance and monitoring program that throughout the life of the project, will address post-construction runoff quality and quantity. The site plan, grading design, storm drain design, and retention facility of the project will be factored in the Project-Specific WQMP development.

Through this required compliance, the project helps prevent impacts to the local receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. As a standard process for new development projects, the Project-Specific WQMP must be submitted and approved prior to the first discretionary project approval or permit. The Project-Specific WQMP also outlines the required maintenance practices necessary to ensure that the water quality facilities remain



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 57

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

effective during the life of the project. These include a maintenance covenant, inspection and maintenance program, with regular monitoring for all proposed measures and devices. Less than significant impacts relative to the substantial degradation of water quality are expected.

Mitigation Measures: None

- 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? ☐ ☐ ☐ ☒

Discussion:

The entire property is mapped within the 100-year flood hazard area (Zone AO) by the Federal Emergency Management Agency (FEMA), but the Project does not include housing. The proposed improvement plans will be subject to agency review and approval ensure that the proposed grading and drainage conditions are acceptable to the City standards. No impacts relative to placing housing in a 100-year flood hazard area are expected.

Mitigation Measures: None

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? ☐ ☐ ☒ ☐

Discussion:

The Federal Emergency Management Agency (FEMA) evaluates potential flood hazards for the City. The FEMA Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying those potential hazards and determining the need for and availability of federal flood insurance. According to FIRM panel 06065C0885G, effective August 28, 2008, the entire project and its immediate surroundings are located within Zone AO and is identified as being subject to inundation by the 1-percent-annual-chance storm with shallow flooding (usually sheet flow) at an average depth of one (1) feet and a velocity of five (5) feet per second. The average flood depths are derived from detailed hydraulic analyses. Mandatory flood insurance purchase requirements and floodplain management standards apply.

As designed, the proposed development within an existing light industrial district would not considerably alter the existing local drainage courses, flood zone characteristics, or any facilities identified in the FEMA maps. Stormwater runoff generated by the project would be managed by a storm drainage system that includes one facility with the capacity retain the incremental increase in runoff volume between the pre- and post-construction conditions resulting from the controlling storm event. As previously discussed, the proposed building will be improved with the necessary flood protection to satisfy the agency requirements. The proposed improvement plans will be subject to agency review and approval ensure that the proposed grading and drainage conditions are acceptable to the City standards. Less than significant impacts are expected.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 58

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Mitigation Measures: None

- 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 levy or dam?

☐☐☒☐

Discussion:

The project is not located near an existing levee or dam; therefore, no impacts are expected pertaining to this topic. The project is located within a 100-year flood zone based on FEMA FIRM panel 06065C0885G, effective August 28, 2008. The project is expected to provide the appropriate site improvements to protect the proposed structure without increasing the risk of flooding. Less than significant impacts are expected relative to failure of a bog or dam.

Mitigation Measures: None

- j) Inundation by seiche, tsunami or mudflow?

☐☐☒☐

Discussion:

The project site is not located near a levee or dam, nor is the project located near a body of water that would pose potential seiche or tsunami impacts. The project is located within a recognized flood zone (FEMA Zone AO) and west of the Big Morongo Wash. Due to the largely undeveloped setting and lack of existing flood protection facilities in this vicinity, local drainage is largely unconfined. The site is composed of Hydrologic Soil Type "A", which is characterized for having a high infiltration rate (low runoff potential) when thoroughly wet. Type "A" soils consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission. Combined with the relatively shallow gradient that characterizes the vicinity, the erosive nature of the vicinity is slight. The proposed site plan includes retention facilities sized to contain the volume difference between pre- and post-development conditions. Only flows in excess of the project's retention requirements would be allowed to exit the project area, therefore, less than significant impacts are expected.

Mitigation Measures: None

X. LAND USE AND PLANNING - Would the project:

- a) Physically divide an established community?

☐☐☐☒

Discussion:

The project site sits on approximately 1.05 acres of vacant land in a Light Industrial District as designated by the City of Desert Hot Springs General Plan and Zoning. The project site is located on Two Bunch Palms Trail between Little Morongo Road and Cabot Road. This area of the City is designated to support business parks and the development of light industrial uses operating in enclosed buildings. The district



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 59

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

is largely segregated from the City's intense residential and commercial uses, a condition which is intended to reduce land use incompatibility. Existing industrial establishments and scattered low density residential uses are located west of the project site. There are no established community patterns in the project vicinity that would be divided by the proposed project. No impacts relative to the division of an established community are expected.

Mitigation Measures: None

- 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?

☐☐☒☐

Discussion:

The applicant is processing a Conditional Use Permit to develop 1.05 acres on a single parcel into a medical marijuana cultivation facility. The project is zoned Light Industrial, this zone is intended to accommodate any and all industrial uses operating entirely in enclosed buildings, those requiring limited and screen-able outdoor storage space and medical marijuana cultivation facilities. The project site is largely segregated from the City's intense residential and commercial uses and is consistent with the City's General Plan land use designation.

The project includes approval of a Conditional Use Permit (Municipal Code 17.180.090) and Regulatory Permit (Municipal Code Chapter 5.50) to thoroughly evaluate the design and operation of the proposed facility and render it in full compliance with City regulations. In addition, all medical marijuana cultivation operations and any related activities, such as transportation, manufacturing, and testing, would be subject to existing and proposed State laws including 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 that may be adopted, such as State Assembly Bill 266 (AB 266).

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

Mitigation Measures: None

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

☐☐☐☒

City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 60

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Discussion:

The proposed project is located within the Coachella Valley Multi-Species Habitat Conservation (CVMSHCP) area. This is a regional plan which outlines policies for conservation of habitats and natural communities throughout the Coachella Valley. The project site is not within a Conservation Area under the CVMSHCP and no Conservation Area abuts any of the boundaries of the project.

There are no protected biological resources on the property as recognized by the CVMSHCP, or the project specific Biological Assessment. As a standard condition, all new development will pay the most current mitigation fees for the implementation of the CVMSHCP and support the acquisition of conservation lands. No impacts are expected, the project is expected to comply with all required plan provisions and pay the required mitigation fee to achieve consistency with the CVMSHCP.

Mitigation Measures: None

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?

☐☐☒☐

Discussion:

In accordance with the Surface Mining and Reclamation Act of 1975 (SMARA), mineral land classification maps and reports have been developed to assist in the protection and development of mineral resources.

Local agencies, including the City of Desert Hot Springs, utilize the existing information on mineral classifications for land use plan development and decision-making. In the City of Desert Hot Springs General Plan, mineral resources are addressed in the Energy and Mineral Resources Element. According to the Energy and Mineral Resources Element of the City of Desert Hot Springs General Plan and the SMARA map of Desert Hot Springs, the Project and its surroundings are located within Mineral Resource Zone 3 (MRZ-3), which applies to areas where the significance of mineral deposits cannot be evaluated from the available data. There are no specific known mineral resource deposits or facilities on or near the project.

The proposed Project is located west of Big Morongo Wash and east of Mission Creek. These drainage courses have conditions where sand and gravel deposits may occur, but they are located within designated Conservation Areas of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Specifically, Big Morongo Wash is located within the Morongo Wash Special Provisions Area and Mission Creek is located within the Upper Mission Creek/Big Morongo Canyon Conservation Area. The project does not involve physical disturbance to these drainages or conservation areas; therefore, it would not disturb any potential mineral resources found therein.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 61

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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

Mitigation Measures: None

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

☐☐☒☐

Discussion:

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

Mitigation Measures: None

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?

☐☐☒☐

Discussion:

Noise is defined as unwanted sound that disrupts normal activities or that diminishes the quality of the environment. It is usually caused by human activity that adds to the existing acoustic setting of a locale. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The human ear does not respond uniformly to sounds at all frequencies, being less sensitive to low and high frequencies than to medium frequencies that correspond with human speech. In response to this, the A-weighted noise level or scale has been developed to correspond better with peoples' subjective



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 62

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

judgment of sound levels. This A-weighted sound level is called the “noise level” referenced in units of dB(A). Sensitive receptors, such as residences and schools, have a lower acceptable Community Noise Equivalent Level (CNEL) level than commercial or park noise levels.

In the City of Desert Hot Springs General Plan, the primary source of noise is attributed to motor vehicle traffic. In particular, the U.S. Interstate 10 and the Southern Pacific Railroad corridor represent a substantial contribution to the noise environment. City of Desert Hot Springs has the authority to establish land use noise standards and corresponding restrictions under the City’s Noise Ordinance. A range of noise standards apply to different receiving land uses, primarily based on the assumed susceptibility. In Table V-2 of the Noise Element, the project corresponds to the category of “Industrial” based on land use designation. For this land use, the normally acceptable noise exposure ranges from 50 to 75 CNEL. The generally unacceptable noise levels range from 70 and 80 CNEL, while construction and development is discouraged where noise levels exceed 75 CNEL.

The undeveloped project property forms part of a light industrial district in the City of Desert Hot Springs that has been designated in the General Plan to support business parks and the development of light industrial uses operating in enclosed buildings. The Project site is surrounded on the north and west by vacant desert land. On the east and south boundaries, the property sets aside existing industrial sites which have been approved for the Cultivation of Medical Marijuana. Existing industrial establishments in this vicinity include automotive repair shops, light manufacturing facilities and religious services. Some lots within this sector remain undeveloped and some structures are unoccupied. The district is separated from the City’s intense residential and commercial uses, a condition which helps reduce land use incompatibility pertaining to noise settings.

The undeveloped project site does not constitute an existing source of noise, but it is exposed to low noise levels caused by traffic on the adjoining road and operations on nearby properties. The construction activities of the Project are expected to generate a short-term noise increases compared to the existing levels. Two types of noise impacts are anticipated during future construction activities. First, the transport of workers and equipment to the site will incrementally increase noise levels along the local roadways (Little Morongo Road and Two Bunch Palms Trail) leading to and from the site. Second, the noise will be generated by the actual on-site construction activities. The project will be required to abide by Municipal Code regulations for construction hours. 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. In addition to the construction hour limitations, the following common industry standard practices will help reduce short-term noise impacts: All construction equipment, fixed or mobile, should be equipped with properly operating and maintained mufflers and the engines should be equipped with shrouds. Approved haul routes shall be used to minimize exposure of sensitive receptors to potential adverse levels from hauling operations. All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.

During the life of the project, certain operations are expected to result in an incremental increase in noise levels. The anticipated sources of project-related noise are vehicular traffic accessing the



Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

facilities, access to the trash enclosures for waste management (disposal and pick-up), grounds maintenance, and the operation of heating, ventilation and air conditioning (HVAC) equipment.

As described previously, medical marijuana operations will be contained in the proposed building. As mandated by the local zoning ordinance, all cultivation operations of the project shall be conducted in the interior of enclosed structures, facilities, and buildings. All cultivation operations, including materials management, will occur indoors and within the fenced limits. Some routine activities that can increase noise levels are expected to occur outside of the building. While the project would result in an increase in noise levels compared to the existing undeveloped condition, the nature and intensity of operations not expected to result in the generation of noise levels incompatible with the surrounding uses or surpassing the community noise and land use compatibility standards. Less than significant impacts are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

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 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. Maintenance facilities similar to the proposed project have also been identified as groundborne vibration generators. Other factors that influence the disturbance of groundborne vibration include distance to source, foundation materials, soil and surface types.

Similar to noise, the detection of groundborne vibration can generate a heightened disturbance in certain facilities or land uses, such as residences. 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. The project is located in a partially developed light industrial district and is separated from the nearest residential uses by minimum distance of 1,350 feet.

Current traffic on Two Bunch Palms Trail 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 will 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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 64

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

that would be deemed inconsistent with the existing industrial setting or excessive in nature, such that would disturb residential uses. Less than significant impacts related to excessive groundborne vibration noise levels are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

The Project property is a vacant parcel of land. Therefore, it does not represent an existing source of ambient noise. The Project vicinity primarily consists of vacant land and developed properties within the light industrial district. The project site is not located adjacent to or within close proximity to any residential land uses. An existing source of ambient noise is attributed to traffic on Two Bunch Palms Trail on the north. Noise resulting from the project operations is anticipated to be largely contained in the proposed structures, while noise resulting from traffic noise caused by the project is not expected to substantially increase the current ambient levels in a manner that is incompatible with the surrounding setting. Less than significant impacts related to permanent increase in ambient noise levels are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

As discussed previously, the proposed cultivation site will produce a temporary increase in ambient noise levels during construction. During project site preparation, grading and construction, the contractors will be expected to utilize properly maintained construction equipment consistent with the manufacturer's standards. The location of the temporary construction staging area within the Project boundaries and the construction activities would take place within the designated hours established by the City of Desert Hot Springs. Less than significant impacts related to temporary or periodic ambient noise levels are expected.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 65

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

- 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?

☐☐☐☒

Discussion:

The project is located approximately 7 miles north of the Palm Springs International Airport and is not located within its airport land use plan. No impacts are expected to result related to projects located within an airport land use plan.

Mitigation Measures: None

- 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?

☐☐☐☒

Discussion:

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.

Mitigation Measures: None

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)?

☐☐☒☐

Discussion:

The project applicant seeks a Conditional Use Permit for the development of a facility for the indoor cultivation and processing of medical marijuana. The proposed facility consists of a single two (2) story building on vacant land. The grow facility will total approximately 30,500 square feet and, in addition to cultivation space, will include dedicated areas for office, packaging and storage. Approximately 29,000 square feet will be dedicated for cultivation and processing and 1,600 square feet for office space. The project is compatible with operations and uses permitted in the Light Industrial (IL) zone with the approval of the CUP. The project is expected to be developed in one phase. It will provide employment for approximately 8-12 full time employees. The proposed project may encourage relocation for



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 66

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

employment. However, the number of employees would be relatively minor considering the facility's purpose.

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

Mitigation Measures: None

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

☐☐☐☒

Discussion:

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

Mitigation Measures: None

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

☐☐☐☒

Discussion:

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

Mitigation Measures: None

XIV. PUBLIC SERVICES – Would the project:

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

Fire protection?

☐☐☒☐

City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 67

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

Discussion:

The City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) for a full range of fire protection services provided 24 hours a day 7 days a week. The RCFD is staffed with a combination of County and State of California Department of Forestry & Fire Protection employees. They operate 96 fire stations that serve 1,360,000 residents over 6,970 miles of Riverside County. The City of Desert Hot Springs has two RCFD fire stations, Battalion 10, Station 36; located at 11535 Karen Avenue is approximately 2.8 miles from the project site. Battalion 10, Station 37 is the City's busiest fire station and is located at 65-958 Pierson Blvd, approximately 4.2 miles from the proposed project. Both stations are staffed by 8.2 full time personal and each shift has 3 professionals consisting of a Fire Captain/and or engineer and one or two Firefighter II / licensed paramedic on duty at all times. Each station is also equipped with a Type I, 1500 GPM fire engine.

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

The proposed cultivation facility includes a single 2-story building for the indoor cultivation of medical marijuana on approximately 1.05 acres. The grow facility will total approximately 30,500 square feet and, in addition to cultivation space, will include dedicated areas for office, packaging and storage. Approximately 29,000 square feet will be dedicated for cultivation and processing and 1,600 square feet for office space. The entire site would be secured with tubular steel or wrought-iron perimeter fencing.

Development of the project increases demand on fire services, however based on the site proximity to the City's existing fire stations, the proposed project could be adequately served without the expansion of a new fire facility.

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

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 68

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Police protection?

☐☐☒☐

Discussion:

Police services are provided to the project area by the Desert Hot Springs Police Department. The police department operates out of a single location and is located at 65-950 Pierson Blvd, approximately 2.4 miles from the project site. Per communication with City of DHS police department, the DHSPD has 27 sworn officers and 6 support staff, totaling 33 positions. Based on the 2013 City population of 27,903 persons, the resulting officer to resident ratio is 0.96 per 1,000 populations.

The proposed cultivation facility includes a single 2-story building for the indoor cultivation of medical marijuana on approximately 1.05 acres. The grow facility will total approximately 30,500 square feet and, in addition to cultivation space, will include dedicated areas for office, packaging and storage. Approximately 29,000 square feet will be dedicated for cultivation and processing and 1,600 square feet for office space.

Security measures have been thoroughly incorporated into the project. The entire site would be secured with tubular steel or wrought-iron perimeter fencing and security personnel will be on site at all times. A more detailed, comprehensive security plan is required by the City during the regulatory permit phase. This will include specific locations and areas of coverage by security cameras; location of audible interior and exterior alarms; location of exterior lighting; name and contact information of Security Company monitoring the site and any additional information required by the City.

Although the project may require additional demand for police services, the demand is not expected to hinder the City's ability to provide police protection services. The project will be required to comply with the City's Development Impact Fees to assist with funding of public facilities and services, including police. Less than significant impacts are expected.

Mitigation Measures: None

Schools?

☐☐☒☐

Discussion:

The proposed project falls under the Palm Springs Unified School District (PSUSD). Development of the project would not create a direct demand for school service. The project is proposing a medical marijuana cultivation facility; employment generated by the project would not be expected to draw a substantial number of new residents that would generate school age children requiring public education. Although the project will not add to the demand of school services, the project proponent will pay the required developer fee in place at the time of permits to the PSUSD. Additional applicable development fees may be required to assist in offsetting impacts to school facilities. Less than significant impacts to school services are expected.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 69

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

Parks?	☐	☐	☐	☒
--------	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion:

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

Mitigation Measures: None

Other public facilities?	☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion:

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

Mitigation Measures: None

XV. RECREATION – Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

As previously discussed the project will develop a medical marijuana cultivation facility in a Light Industrial District. It is surrounded on the north by vacant land, to the west is religious uses and light industrial, and to the east and south are light industrial. No residential land uses are proposed and employment generated by the project would not cause a substantial increase to the existing neighborhoods or regional parks. No impacts related to the increase use of existing neighborhood and regional parks or other recreational facilities are expected.

Mitigation Measures: None

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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 70

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Discussion:

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

Mitigation Measures: None

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 transit?

☐☐☒☐

Discussion:

The project can be described as a proposed facility for the indoor cultivation of medical marijuana with supporting infrastructure improvements on approximately 1.05 acres in accordance with City Ordinance 552 and 553. The property is zoned Light Industrial, this zone is intended to provide for any and all industrial uses operating entirely in enclosed buildings, and those requiring limited and screen-able outdoor storage space. The project site is largely segregated from the City's intense residential and commercial uses. This is consistent with the City's General Plan land use designation.

The project site will have two gated points of access and an internal loop driveway. Both gated access points will be located on Two Bunch Palms Trail. This roadway is currently partially paved with no curb and a gravel shoulder. The site will be entirely enclosed within perimeter security fencing. Gated entry/exit drives will control vehicular access onto and off of the property. Circulation and parking are consistent with City parking standards as determined by City Staff. In total, the project provides 19 parking spaces.

Finished products will be loaded onto trucks within a secure, enclosed garage area within the facility. A paved surface is proposed for the main parking area along the eastern boundary of the property as well as the interior drive. Operations would be similar to that of a wholesale nursery. The project will operate with approximately 8-12 full time employees and within the allowable hours designated by the City.

Hours will be consistent with Ordinance 552. Medical marijuana facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. The cultivation of marijuana requires staff to be present on premises 24 hours per day. Only authorized staff and delivery personnel will be allowed to enter the premises.

The Average Daily Trips (ADT) refers to the total number of vehicles that travel a defined segment of roadway over a twenty-four hour period. The standard most often used to evaluate the operating



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 71

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

conditions of the transportation system is called level of service (LOS). LOS is a qualitative assessment of the quantitative effect of factors such as: speed and travel time, traffic volume, geometric features, traffic interruptions, delays, and freedom to maneuver, driver comfort and convenience, and vehicle operating costs. LOS allows operating conditions to be categorized as LOS "A" through LOS "F", where LOS "A" represents the most favorable free flow condition and LOS "F" the least favorable forced flow driving condition. The LOS categories are based on relative levels of driver acceptability of various delays. A given lane or roadway may provide a wide range of service levels, depending upon traffic volumes and speeds.

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

The Circulation Element of the City's General Plan indicates that the Two Bunch Palms Trail segment west of Palm Drive had an ADT of 4335 in 1999. The segment closest to the project frontage indicated an ADT of 100.

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

Exhibit III-5 of the GP EIR Preferred Alternative Buildout Traffic Projections indicates that this segment of roadway will accommodate 11,900 ADT. Table III-10 of the GP EIR Preferred Land Use Alternative Daily Traffic Volumes at Buildout indicates that Two Bunch Palms Drive west of Palm Drive will function with an LOS of B with the proposed improvement to a Minor Collector (right of way of 88'). Table III-6 of the EIR General Plan Road Analysis indicates that this roadway will function with a LOS of B however in this table the road is proposed to be improved to a Minor Arterial (right of way 110').

Prior to approval, the proposed site circulation, including offsite street design standards and the project's fair share portion of offsite street improvements will be reviewed by the City as part of the site and conditional use analysis. As a Standard Condition, the applicant shall complete adjacent roadway improvements as designated by the General Plan.

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

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



Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

will be required as a Condition of Approval.

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

Mitigation Measures: None

- b) Conflict with an applicable congestion Management Program, including, but 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?

☐☐☒☐

Discussion:

The Congestion Management Program (CMP,) prepared by the Riverside County Transportation Commission (RCTC,) is intended to link land use, transportation and air quality with reasonable growth management methods, strategies and programs that effectively utilize new transportation funds to alleviate traffic congestion and related impacts. As the designated Congestion Management Agency (CMA), the RCTC prepares the CMP that designates a system of highways and roadways to include all State Highway facilities within Riverside County and a system of "principal arterials" to be included as the Congestion Management System (CMS.) Program updates include consultation with local agencies, the County of Riverside, transit agencies and sub-regional agencies like the Coachella Valley Association of Governments (CVAG).

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

The project is located approximately 3.0 miles north of the Indian Canyon westbound on-ramp to the Interstate 10 Freeway (I-10). Interstate 10 is identified as a CMP corridor. Traffic resulting from the small-scale operations at the proposed cultivation facility is not anticipated to individually or cumulatively contribute to an exceedance of a level of service standard established in the CMP. Impacts are expected to be less than significant.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 73

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

- 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?

☐☐☐☒

Discussion:

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

Mitigation Measures: None

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

☐☐☒☐

Discussion:

The proposed medical marijuana cultivation facility is a permissible facility within the existing Light Industrial district located on and around Two Bunch Palms Trail. In its current condition, the undeveloped project property is bordered by the paved alignment of Two Bunch Palms Trail to the north.

To provide proper access to the facility, off-site design and the proposed off-site improvements include street paving on portions of Two Bunch Palms Trail along the project's frontage. Circulation design will undergo City and Fire Department review before approval to ensure that the local development standards for roadway in interior & exterior circulation designs are met without resulting in traffic safety impacts. The project does not include sharp curves or dangerous intersections. No incompatible uses or hazardous design features will result from the proposed project as a standard condition. All project plans shall be reviewed and approved by the City Engineering Department. Impacts are expected to be less than significant.

Mitigation Measures: None

- e) Result in inadequate emergency access?

☐☐☒☐

Discussion:

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



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 74

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

The project is anticipated to provide proper premises identification with legible site name, address numbers, and clear signage indicating the site access points. Security gates, controlled access key boxes, operational fire hydrants and extinguishers are also required in accordance with Chapter 15.24 of the Desert Hot Springs Municipal Code. Off-site project improvements will involve paving on Two Bunch Palms Trail within the existing rights-of-way and according to the City's designated street standards. Following implementation of standard conditions, the project is anticipated to result in less than significant impact related to emergency access.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

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. One Line 14 bus stop is in the vicinity of the project and at approximately 1.25 miles in driving/biking distance to the east.

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

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

Mitigation Measures: None

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

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

☐☐☒☐

City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 75

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Discussion:

The project falls under the Mission Springs Water District's (MSWD) sewer service area. Public sewer and water is provided to the project area by the Mission Springs Water District. The project is served by a 24" sewer main located in Two Bunch Palms Trail along the project frontage. MSWD operates two wastewater treatment plants, Horton Wastewater Treatment Plant and Desert Crest Wastewater Plant with a combined capacity of 2.7 MGD. The project is proposing a single 2-story building for the indoor cultivation of medical marijuana on approximately. The grow facility will total approximately 30,500 square feet and, in addition to cultivation space, will include dedicated areas for office, packaging and storage. Approximately 29,000 square feet will be dedicated for cultivation and processing and 1,600 square feet for office space. Wastewater generated by the project is expected to be minimal and would not exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). In addition, City and other local and governmental agency review will ensure compliance with all current and applicable wastewater treatment requirements. Less than significant impacts are expected.

Mitigation Measures: None

- 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?

☐☐☒☐

Discussion:

MSWD provides domestic water and wastewater service in the project vicinity. The site is currently vacant and undeveloped land and currently not served by existing utilities. The project proposes to connect to the existing infrastructure via Two Bunch Palms Trail along the projects frontage. The project will undergo review by MSWD and City staff to ensure wastewater capacity and compliance with the current wastewater treatment requirements. Additionally, sewer installation, and connection fees in place at the time of development will be collected by MSWD. No new or expanded treatment facilities are anticipated from project implementation. Less than significant impacts are expected from project implementation.

Mitigation Measures: None

- 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?

☐☐☒☐

Discussion:

The flood plain in the Project vicinity has a FEMA Zone AO designation, deemed subject to inundation by the 100-year (1-percent-annual-chance) flood and an average velocity of five (5) feet per second.



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 76

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Zone AO plane encompasses undeveloped and developed properties.

Project implementation would involve permanent site improvements on approximately 1 acre, therefore introducing impervious surfaces in the form of buildings, paving, and hardscape to the previously undeveloped (pervious) land. The nature of the project requires utilization of the entire property to accommodate the proposed facilities and operations (parking lot, drive aisles, structures, etc.).

As a result, opportunities to minimize imperviousness through the use of landscaping, natural areas or other pervious surfaces are limited and interspersed throughout the project site plan. Based on the Preliminary Hydrology Report, approximately 84 percent of the proposed develop area will consist of impervious coverage (buildings, access roads, parking, and sidewalks) while the remaining 16% of the area will have pervious coverage in the form of landscaped areas.

To prevent changes to local drainage conditions (patterns, quantities, or velocities) that can potentially result in adverse erosion and sedimentation impacts, the project would incorporate a storm drain design and flood control facilities based in part on the findings of a required project-specific Preliminary Hydrology Report. The Project would include one retention basin on the south-end of the property. Stormwater runoff from throughout the project, including parking areas, hardscape and roof drainage, would be carried to this retention facility via surface and piped conveyances.

The retention facility is expected to have a capacity of approximately 1,951 cubic feet, which is sufficient to address the maximum increase of runoff volume between the pre- and post-construction condition caused by the controlling 100-year storm event as well as the Whitewater Watershed design storage volume (961 cubic feet) for water quality purposes. The proposed structure is expected to have flood protection improvements to guard the proposed structure during larger storm events. Offsite tributary flood flows will be conveyed through the site and allowed to pass through the site in a sheet flow manner.

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

Mitigation Measures: None

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

☐☐☒☐

Discussion:

Groundwater is the primary source of domestic water supply in the Coachella Valley; the Mission Springs Water District (MSWD) provides potable water to the City by extracting groundwater from the



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 77

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

Mission Creek subbasin. The existing MSWD distribution system consist of three independent water distribution systems: 1) Desert Hot Springs and surrounding area system – encompasses the City of DHS, a portion of the City of Palm Springs and surrounding unincorporated area of Riverside County, 2) Palm Springs Crest System, and 3) West Palm Springs Village System.

Per the MSWD 2010 Urban Water Management Plan, the MSWD system, inclusive of all three distribution systems, has approximately 1.26 million linear feet of pipeline. The District's service area currently includes 10 wells that supply the Desert Hot Springs System and two wells each for the Palm Springs Crest System and West Palm Springs Village System. The MSWD 2010 UWMP states the Mission Springs subbasin is currently in overdraft condition.

The Mission Creek Settlement Agreement (Dec.2004) and the 2003 Mission Creek Groundwater Replenishment Agreement between the Coachella Valley Water District (CVWD) and the Desert Water Agency (DWA) specify that the available imported water supplies from the State Water Project (SWP) will be allocated between the Mission Creek and Whitewater River subbasins in proportion to the amount of water produced or diverted from each subbasin during the preceding year. As required by the policies of the General Plan, the City will continue to cooperate with MSWD and other agencies/jurisdictions in implementing a groundwater replenishment program capable of ensuring the viability of the Mission Creek subbasin.

The project proposes to connect into the existing infrastructure in place. There is a 12" water main along Two Bunch Palms Trail. The proposed development will be expected to follow water conservation guidelines to mitigate impacts to public water supplies. Examples of these water conservation methods include water conserving plumbing fixtures, drought tolerant landscaping, and drip irrigation systems. Domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process. Additionally, installation, and connection fees in place at the time of development will be collected by MSWD. Less than significant impacts to water supply are expected.

Mitigation Measures: None

- 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?

☐☐☒☐

Discussion:

Wastewater generated from the proposed project will be conveyed to MSWD for treatment. MSWD has 45 miles of sewer pipeline, powered by pump stations and serviced by 2.3 million gallons per day (MGD) capacity wastewater treatment plant. Service demand generated by the proposed project is expected to be incremental and not anticipated to significantly impact demand for wastewater treatment. Wastewater improvements necessary to provide adequate service to this development will



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 78

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process. Less than significant impacts to wastewater treatment are expected.

Mitigation Measures: None

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

☐☐☒☐

Discussion:

Solid waste disposal and recycling services for the City of Desert Hot Springs are provided by Desert Valley Disposal (DVD). Commercial waste and recycling collected from the proposed project will be hauled to the Edom Hill Transfer Station. Waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Disposal Site, El Sobrante Sanitary Landfill and Lamb Canyon Disposal Site. CalRecycle data indicates that these landfills have 40-50% of their remaining estimated capacity. Additionally, solid waste generated by a medical marijuana Cultivation facility would be minimal. Less than significant impacts to solid waste are expected.

Mitigation Measures: None

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

☐☐☐☒

Discussion:

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

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 79

Potentially
Significant
Impact

Less Than
Significant with
Mitigation
Incorporated

Less Than
Significant
Impact

No
Impact

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?

☐☐☒☐

Discussion:

Based upon the information and mitigation measures provided within this Initial Study and independent studies prepared for Biological and Cultural Resources, approval and implementation of the project is not expected to substantially alter or degrade the quality of the environment, including biological, cultural or historical resources. Less than significant impacts are expected.

Mitigation Measures: None

- 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)?

☐☐☒☐

Discussion:

The project is located in a partially developed setting designated for light industrial uses. Cultivation is a conditionally permitted use with the City's Light Industrial zone with a Conditional Use Permit and Regulatory Permit. The facility would be compatible with the existing and future land uses within the Light Industrial zone. Based upon the information and mitigation measures provided within this Initial Study, approval and implementation of the proposed cultivation facility is not expected to result in impacts that, when considered in relation to other past, current or probable future projects, would be cumulatively considerable. Less than significant impacts are expected.

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 80

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion:

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

Mitigation Measures: None



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 81

Sources

City of Desert Hot Springs Comprehensive General Plan, adopted September 5, 2000

City of Desert Hot Springs Municipal Code

Riverside County General Plan (RCIP), adopted October 7, 2003

Coachella Valley Integrated Regional Water Management Plan, adopted February 2014

Mission Springs Water District Urban Water Management Plan, June 2011

Special Studies

Biological Analysis, prepared by Jim W. Cornett, Ecological Consultants, October, 2015

Historical/Archaeological Resources Survey, prepared by CRM TECH, November, 2015

Prelim Hydrology Report, prepared by MSA Consulting, Inc., February, 2016

Geotechnical Investigation prepared by Sladden Engineering, December 2015



City of Desert Hot Springs

Date: July 7, 2016

Project Title: Application for Conditional Use Permit No. 11-16, DA 04-16

Project Name: DHS Properties Investments, LLC

Page 82