Draft Initial Study and Mitigated Negative Declaration

Conditional Use Permit 14-16
Desert Hot Springs Green Horizons, Inc.
Medical Marijuana Cultivation Facility

Prepared for:

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

Prepared by:

ECORP Consulting, Inc.
215 N. Fifth Street
Redlands, CA 92374

Desert Hot Springs Planning Department
Daniel McVey
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240
760-329-6411, Extension 262

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CHAPTER ONE – INTRODUCTION

1.1 Purpose and Authority

This Initial Study and Mitigated Negative Declaration have been prepared for the development of Conditional Use Permit (CUP) 14-16, Desert Hot Springs Green Horizons, Inc. Medical Marijuana Cultivation Facility (Proposed Project) in accordance with Section 17 of the Municipal Code. On October 21, 2014, the City of Desert Hot Springs adopted Ordinance No. 552 and 553 pertaining to the regulation of medical marijuana facilities. Ordinance No. 552 is codified in Chapter 5.50 and Ordinance No. 553 is codified in Chapter 17.180 of the Desert Hot Springs Municipal Code. The facilities permitted under these ordinances include medical marijuana dispensaries and medical marijuana cultivation facilities that are owned and operated by bona fide non-profit organizations, such as cooperative or a collective. These facilities are subject to the provisions of the Compassionate Use Act of 1996 (California Health and Safety Code Sections 11362.7 through 11362.83), the California Attorney General's Guidelines for the Security and Non-Diversion of Marijuana Growth for Medical Use (issued in August 2008), and any future state laws pertaining to cultivating and dispensing medical marijuana, such as State Assembly Bill 266 (AB 266), if adopted.

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

The Proposed Project consists of the construction of a steel frame building on approximately 9.75 acres for the indoor cultivation of medical marijuana. The building would be located near the western boundary of the project parcel and have a footprint of approximately 45,000 square feet (sq. ft.), or 1.03 acres. The building would include an approximately 19,000 sq. ft. portion dedicated to office and warehouse uses. This portion of the building would have a maximum height of 34 feet, a width of 125 feet, and a length of 150 feet. This portion of the building would have metal panel siding and a metal roof. The remaining approximately 26,000 sq. ft. portion of the proposed building would include a greenhouse (18,000 sq. ft.) and support rooms (8,000 sq. ft.). This portion of the building would have a maximum height of 21 feet and 6 inches, a width of 175 feet, and a length of 150 feet. This portion of the building would have greenhouse metal insulated panel siding and a glass greenhouse roof. The Proposed Project would take approximately eight months to build.

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

1.2 Determination

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

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

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

1.4 Public Review Process

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

CHAPTER TWO – PROJECT DESCRIPTION

2.1 Project Vicinity

The Proposed Project is located on 9.75 acres of undisturbed desert land at the southeast corner of the intersection of Little Morongo Road and Hacienda Avenue, in the City of Desert Hot Springs, California.

Total Project Area: 9.75 acres

Assessor's Parcel Number: 663-270-001

Section, Township & Range Description or reference:
Portion of NW ¼ of the SW ¼ of Section 36, Township 2 South, Range 4 East, San Bernardino Base Line & Meridian.

The approximately 9.75 acre project site is located at the southeast corner of the intersection of Little Morongo Road and Hacienda Avenue. Soil in the area consists of fluvial sediments of the Mission Creek flood plain and greater Morongo Wash, including coarse-grained sand with a high density of gravel and cobbles and a few larger granitic boulders. Vegetation within the project site consists mostly of creosote, salt brush, cholla, bunch grasses, and mixed scrub. The project area is moderately flat and multiple seasonal drainages traverse the property from north to south. The project site is bounded by additional undeveloped property on all four sides. Surrounding land uses consist of industrial developments, residential developments, businesses, and open land.

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

Location: N:\2016\2016-130 MedMen Cultivation\MAPS\Location_Vicinity\MM_Vicinity_v2.mxd (AMyers, AA)-mapping_guest 9/13/2016

Map Date: 9/13/2016

Service Layer Credits: Sources: Esri, USGS, NOAA

Exhibit 2-1. Project Vicinity

2016-130 MedMen

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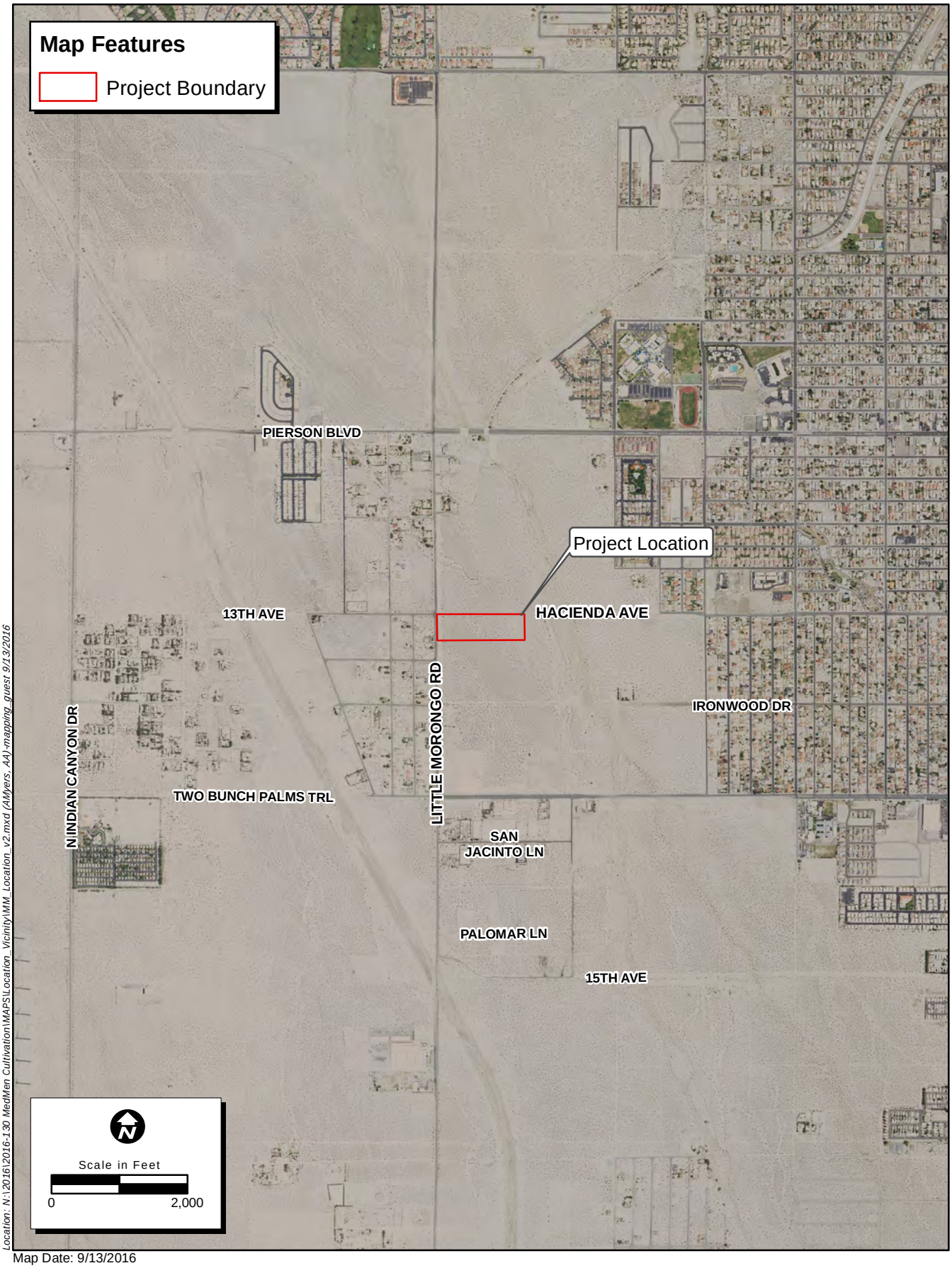


Location: N:\2016\2016-130 MedMen Cultivation\MAPS\Location_Vicinity\MM_Location_v2.mxd (AMyers, AA)-mapping_guest 9/13/2016

Map Date: 9/13/2016
Photo Source: NAIP 2014

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Exhibit 2-2. Project Location

2016-130 MedMen

2.2 Project Description

The Proposed Project consists of the construction of a steel frame building on approximately 9.75 acres for the indoor cultivation of medical marijuana. The building would be located near the western boundary of the Proposed Project parcel and have a footprint of approximately 45,000 sq. ft., or 1.03 acres (Exhibit 2-3). The building would include an approximately 19,000 sq. ft. portion dedicated to office, processing, and warehouse uses. This portion of the building would have a maximum height of 34 feet, a width of 125 feet, and a length of 150 feet. This portion of the building would have metal building panel siding and a metal roof. The remaining approximately 26,000 sq. ft. portion of the proposed building would include a greenhouse (18,000 sq. ft.) and support rooms (8,000 sq. ft.). This portion of the building would have a maximum height of 21 feet and 6 inches, a width of 175 feet, and a length of 150 feet. This portion of the building would have metal insulated panel siding and a glass roof. The overall architectural character would be that of an attractive, well-maintained industrial building. As required by City ordinance, the facility would include sufficient odor absorbing ventilation and exhaust systems.

Landscaping has been designed to balance aesthetic, water use, and security objectives. A rock lined detention basin would be constructed south of the proposed building. Fifteen exterior light emitting diode (LED) area lights would be installed along the exterior walls of the proposed building and in the parking lot. The facilities would include a total of 74 parking stalls and a perimeter security fence with a security gate. As required by City ordinance, the security plan would also include security cameras, alarms, and a licensed security guard. A 30-foot wide fire lane would be provided along the east and southern side of the proposed building with access from the improved Hacienda Avenue.

The Proposed Project would also include off-site improvements including fully improving Hacienda Avenue from Little Morongo Road east for the entire length of the proposed building. A new 12 inch water main would also be installed for the entire length of the Proposed Project parcel along its northern boundary. Construction of the Proposed Project would take approximately eight months.

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

Operations would be similar to that of a standard retail nursery and does not include onsite sales. Hours would be consistent with Municipal Code Chapter 5.50. Medical marijuana facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. There would be no general public access to the facility at any time. All staff would be subject to thorough background checks in accordance with City regulations. Inbound deliveries would include such materials as fixtures and equipment, irrigation supplies, and soil amendments. Deliveries would typically be made with cargo

vans or small box truck type delivery vehicles. All finished product would be package and loaded onto vehicles within the secure perimeter fence area. All deliveries, both inbound and outbound, would occur during the operating hours designated in the Municipal Code (8:00 am to 10:00 pm).

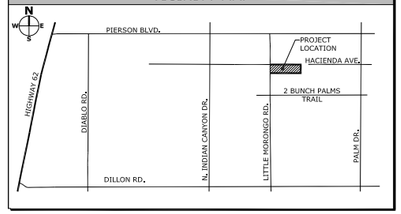
The project site plan is shown below in Exhibit 2-3.

PROJECT LEGEND

LAND OWNER:	MANLIN 2 LLC
ADDRESS:	9441 WARNER DRIVE CULVER CITY, CA 90232
CONTACT NUMBER:	(323) 473-5232
APPLICANT:	DESERT HOT SPRINGS GREEN HORIZONS, INC.
ADDRESS:	9441 WARNER DRIVE CULVER CITY, CA 90232
CONTACT NUMBER:	(323) 473-5232
A.P.N.:	663-270-001
PARCEL ZONING:	LI (LIGHT INDUSTRIAL)
SITE SETBACKS:	
FRONT YARD:	= 20 FEET
SIDE YARD:	= 10 FEET
BACK YARD:	= 10 FEET
PROJECT TOTALS	
TOTAL AREA:	9.75 ACRES (424,710 S.F.)
DEVELOPED AREA:	4.23 ACRES (184,258 S.F.)
LOT COVERAGE	
PARKING AREAS:	60,100 S.F. (14.15%)
WALKS & LOADING AREA:	5,200 S.F. (1.22%)
BUILDING AREA:	45,000 S.F. (10.60%)
LANDSCAPE AREA:	314,410 S.F. (74.03%)
PARKING REQUIRED:	
(PARKING REQUIREMENTS ARE PER CITY OF DESERT HOT SPRINGS MUNICIPAL CODE SECTION 17.48.040 FOR OFFICE AND WAREHOUSE USES)	
INDIVIDUAL PARKING REQUIREMENTS	
OFFICE 7,825 S.F./300 S.F./SPACE	= 27 SPACES
WAREHOUSE 34,327 S.F./750 S.F./SPACE	= 46 SPACES
TOTAL SPACES REQUIRED:	= 73 SPACES
HANDICAP PARKING REQUIREMENTS:	
1-25 FOR FIRST 100	= 4 SPACES
TOTAL HANDICAP PARKING REQUIRED	= 4 SPACES
PARKING PROVIDED:	
STANDARD PARKING PROVIDED	= 70 SPACES
HANDICAP PARKING PROVIDED:	
VAN (WITH 8' MIN ACCESS)	= 4 SPACES
TOTAL SPACES PROVIDED:	= 74 SPACES

LEGAL DESCRIPTION:
REAL PROPERTY IN THE CITY OF DESERT HOT SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:
THE NORTHERLY 300 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.
APN: 663-270-001-1

VICINITY MAP



LEGEND

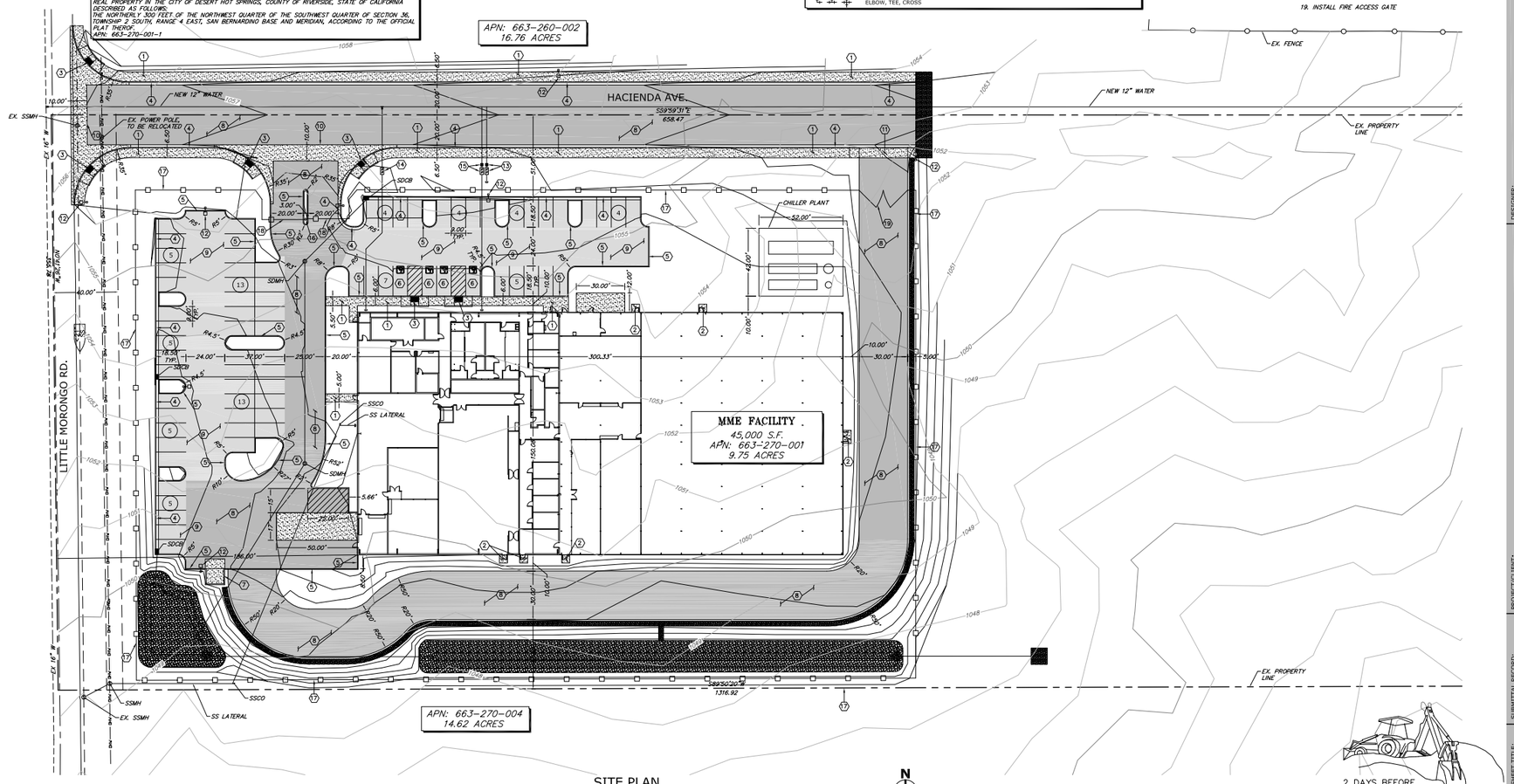
- PROPOSED TYPE 1 CURB AND GUTTER
- PROPOSED MEDIAN CURB
- EXISTING MEDIAN CURB
- 4530 EXISTING MAJOR CONTOUR
- 4530 PROPOSED MAJOR CONTOUR
- 4530 EXISTING MINOR CONTOUR
- 4530 PROPOSED MINOR CONTOUR
- GRADE BREAK
- 2.00% SLOPE IN PERCENT
- 50.00 ELEVATION @ FINISH GRADE
- 50.00 ELEVATION @ TOP OF CURB
- 50.00 ELEVATION @ GRADE BREAK
- 50.00 ELEVATION @ FLOW LINE
- STORM DRAIN MANHOLE (DASHED IF EXISTING)
- CATCH BASIN
- PROPERTY LINE
- LIGHT STANDARD
- UTILITY POLE
- ELBOW, TEE, CROSS
- STREET SIGN
- PIPE BOLLARD
- FENCE
- ASPHALT CONCRETE PAVEMENT
- CONCRETE
- FLUSH VALVE ASSEMBLY
- FIRE WATER MAIN (DASHED IF EXISTING)
- WATER MAIN (DASHED IF EXISTING)
- SANITARY SEWER LATERAL
- GAS — GAS MAIN (DASHED IF EXISTING)
- CLEANOUT (DASHED IF EXISTING)
- FIRE HYDRANT
- WATER VALVE
- STORM DRAIN MAIN (DASHED IF EXISTING)
- SANITARY SEWER MAIN (DASHED IF EXISTING)
- SINGLE WATER SERVICE (METER & BACKFLOW PREVENTER)
- SANITARY SEWER MANHOLE (DASHED IF EXISTING)

NOTES:

1. PERMANENT STRIPING, BIKE LANES, AND MARKINGS SHALL BE IN ACCORDANCE WITH THE "CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
2. PARKING SPACE LINES SHALL BE 4-INCH WIDE, WHITE STRIPES.
3. HANDICAP PARKING SPACES SHALL BE MARKED WITH A PAINTED BLUE FIELD 48-INCHES SQUARE CONTAINING A PAINTED WHITE WHEELCHAIR SYMBOL.
4. HANDICAP PARKING AISLE LINES SHALL HAVE 4-INCH WIDE, WHITE STRIPES AT A 45 DEGREE ANGLE AND AT 18-INCHES ON CENTER.
5. PARKING STALL INSTALLATION AND MATERIALS SHALL CONFORM TO THE LATEST EDITION OF THE CALIFORNIA M.U.T.C.D.
6. ALL EXTERIOR CONCRETE EXPOSED TO FREEZING AND THAWING CONDITIONS SHOULD BE RATED AT 4,500 PSI MINIMUM

CONSTRUCTION NOTES:

1. CONSTRUCT CONCRETE SIDEWALK
2. CONSTRUCT CONCRETE LANDING
3. CONSTRUCT MIDBLOCK ACCESSIBLE PEDESTRIAN RAMP
4. CONSTRUCT STANDARD 24" CURB & GUTTER
5. CONSTRUCT STANDARD 6" STRAIGHT FACED CURB
6. INSTALL ACCESSIBLE PARKING STALL
7. CONSTRUCT CMU TRASH ENCLOSURE
8. CONSTRUCT HEAVY ASPHALT SECTION OF 4" TYPE II AC-20 A.C. W/FOG SEAL OVER 8" TYPE 2, CLASS B AGGREGATE BAS
9. CONSTRUCT LIGHT ASPHALT SECTION OF 3" TYPE II AC-20 A.C. W/ FOG SEAL OVER 6" TYPE 2, CLASS B AGGREGATE BASE
10. CONSTRUCT 10' WIDE P.C.C. LONGITUDINAL VALLEY GUTTER
11. CONSTRUCT P.C.C. DRIVEWAY APRON
12. INSTALL STREET LIGHT
13. INSTALL IRRIGATION METER & BACKFLOW PREVENTER
14. INSTALL FIRE BACKFLOW PREVENTER
15. INSTALL DOMESTIC METER & BACKFLOW PREVENTER
16. INSTALL ACCESS CONTROL PEDESTAL
17. INSTALL FENCE
18. INSTALL GATE
19. INSTALL FIRE ACCESS GATE



SITE PLAN
SCALE: 1" = 30'-0"

2 DAYS BEFORE YOU DIG CALL USA TOLL FREE 811

1"=30'-0" MME CUP 16064_C21

Location: N:\2016\2016-130 MedMen Cultivation\MAPS\Borders\MedMen Site Plan.mxd (AA)-mapping_guest 9/13/2016

DRAWN: N.D.J.
DESIGNED: N.D.J.
CHECKED/STAMPED: MATT K. RASMUSSEN, P.E.

STAMP:
PRELIMINARY DESIGN

DESIGNER:
TECTONICS DESIGN GROUP
10451 Double R Boulevard, Reno, NV 89521
tel 775-824-9988
fax 775-824-9985
www.tectonicsdesigngroup.com

PROJECT/CLIENT:
MME Conditional Use Permit
Hacienda Avenue, Desert Hot Springs, California 92240
Miles Construction
61 Industrial Parkway, Carson City, Nevada 89706
#: 16064

SUBMITTAL RECORD:
DATE: SUBMITTAL
5/26/16 CUP SUBMITTAL

SHEET TITLE:
SITE PLAN

SHEET:
C2.1

Map Date: 9/13/2016
Photo (or Base) Source: Tectonics Design Group 2016

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Exhibit 2-3 Site Plan

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2.3 Mitigation Monitoring Program

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

Table 2-1
Mitigation Monitoring Program

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
4. Biological Resources	**B-1**: The developer shall ensure that the applicable CVMSHCP Local Development Mitigation Fee is paid to the City of Desert Hot Springs. The time of payment must comply with the City's Municipal Code (Chapter 3.40).	Developer	Prior to building permits	Less than significant
	B-2: A preconstruction survey shall be conducted for the special-status plant species that have been identified to have high or moderate potential to occur and are not covered by the CVMSHCP (white-bracted spineflower, desert spike-moss, and chaparral sand-verbena). The survey shall be conducted according to the CNPS Botanical Survey Guidelines (CNPS 2001). If a population of special-status plants, not covered by the CVMSHCP, is found on the project site, then CDFW shall be consulted to discuss appropriate mitigation measures. Mitigation measures could include, but are not limited to, seed collection and/or transplanting.	Developer Planning Department Biological Surveyor	Prior to issuance of grading permit, as indicated.	Less than significant
	B-3: Preconstruction surveys for burrowing owl shall be conducted. The surveys shall follow the methods described in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012). Two surveys shall be conducted, with the first survey scheduled between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and second survey conducted no more than 24-hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows are identified on the Project site during the survey, the methods listed in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012) shall be followed for avoidance and/or passive relocation, in consultation with CDFW.	Developer Planning Department	Prior to issuance of grading permit, as indicated	Less than significant
	B-4: A preconstruction survey for desert kit fox shall be	Developer	Prior to	Less than

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	conducted. If possible this survey can be conducted in conjunction with the preconstruction burrowing owl survey. There are no specific guidelines for desert kit fox; CDFW usually recommends that the survey follow the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). If desert kit fox and/or suitable desert kit fox dens are identified on the Project site during the preconstruction survey, the Project shall proceed to follow the USFWS guidelines for avoidance, exclusion, and/or passive relocation, in consultation with CDFW.	Planning Department	issuance of grading permit, as indicated	significant
	B-5: If construction or other ground-disturbing activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The survey shall be completed no more than 14 days prior to initial ground disturbance. The nesting bird survey shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.	Developer Planning Department	Prior to issuance of grading permit, as indicated	Less than significant
	B-6: Coordination with the RWQCB will be required to confirm waters of the State. If waters of the State are confirmed, then a Section 401 Water Quality Certification will be required from the RWQCB. Water Quality Certification shall be obtained prior to receiving a grading permit.	Developer Planning Department	Prior to issuance of grading permit, as indicated	Less than significant

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	B-7: Coordination with the CDFW will be required to confirm jurisdictional features. If the wash is confirmed to be jurisdictional to the CDFW then a 1602 Streambed Alteration Agreement will be required. A Section 1602 Notification shall be submitted and agreement obtained prior to receiving a grading permit.	Developer Planning Department	Prior to issuance of grading permit, as indicated	Less than significant
5. Cultural Resources	**CR-1:** If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the Applicant shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Agua Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.	Planning Department Qualified Archaeologist	During grading and other ground disturbing activities	Less than significant
	CR-2: The Applicant shall ensure that any excavations deeper than 10 feet shall be monitored by a qualified paleontological monitor. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. All fossils and associated data recovered during the paleontological monitoring shall be deposited in a public museum or other approved curation facility.	Planning Department Qualified Paleontologist	During construction for excavations greater than 10 feet in depth.	Less than significant
	CR-3: In the event that any human remains are discovered, the Applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or	Planning Department	During grading and other ground	Less than significant

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	the City of Desert Hot Springs Police Department. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).		disturbing activities	

CHAPTER THREE – ENVIRONMENTAL CHECKLIST

1. **Project Name:** Desert Hot Springs Green Horizons, Inc. Medical Marijuana Cultivation Facility

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:**
Daniel McVey
Assistant Planner
760-329-6411, Ext. 258

4. **Project Location:**
Located at the southeast corner of Little Morongo Road and Hacienda Avenue. See Exhibit 2-1.

5. **Project Applicants' Name and Address:**
Chris Ganan
Desert Hot Springs Green Horizons, Inc.
8441 Warner Drive
Culver City, CA 90232

6. **General Plan Designation:** Light Industrial

7. **Zoning Designation:** Light Industrial

8. **Description of Project:** To process a Conditional Use Permit and Development Agreement to construct a medical marijuana facility specifically limited to cultivation. The Proposed Project would develop a 45,000-square-foot cultivation building on 9.75 acres of undeveloped desert land.

9. **Surrounding Land Uses and Setting**: Little Morongo Road and rural residential to the west, vacant land and the Upper Mission Creek/Big Morongo Canyon Conservation Area to the north and east, and vacant land to the south.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** California Department of Fish and Wildlife (CDFW) 1602 Streambed Alteration Agreement and the Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources/Tribal Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ 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

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Daniel McVey
Assistant Planner

Date

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to the information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resource Code section 122220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the exiting environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

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)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
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?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on 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?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐
V. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES-- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐
e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in §21074?	☐	☐	☐	☒
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
VII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒
VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

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

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
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)?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
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?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☒	☐

ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

XV. RECREATION

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

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transits.	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways?	☐	☐	☐	☒
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?	☐	☐	☐	☒

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of safety of such facilities.	☐	☐	☐	☒
XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐

g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
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?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

CHAPTER FOUR – DISCUSSION OF ENVIRONMENTAL IMPACTS

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

1. AESTHETICS

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

Less Than Significant. The Proposed Project would be located within a partially developed area with a light industrial zoning and General Plan designation in the City of Desert Hot Springs. The project would be located at the southeast corner of the intersection of Little Morongo Road and 13th Avenue/Hacienda Avenue. The City of Desert Hot Springs General Plan Light Industrial designation allows for business parks and the development of industrial uses entirely in enclosed buildings (City of Desert Hot Springs 2000). It also allows for medical marijuana cultivation as a conditional use. The Proposed Project would be consistent with this designation while being subject to additional development and operational restrictions set forth by the Desert Hot Springs Municipal Code Chapters 5.50 and 17.180.

The project area and vicinity would be located in an area separate from the City of Desert Hot Springs' main residential and commercial districts. Existing land uses in the vicinity of the project area include Little Morongo Road and rural residential to the west, vacant land and the Upper Mission Creek/Big Morongo Canyon Conservation Area to the north and east, and vacant land to the south. The visual character of the district can be described as an industrial setting with parcels of undisturbed vacant land. The Proposed Project property has distant and partially obstructed views of the Santa Rosa Mountains toward the south, the San Jacinto Mountains to the southwest, and the San Bernardino Mountains to the northwest. The Proposed Project property has distant and unobstructed views of the Little San Bernardino Mountains to the north. No designated scenic vistas are in the vicinity of the site.

The Proposed Project consists of an industrial steel-framed cultivation building, with surrounding parking within fenced property limits. The maximum height of the cultivation buildings would be approximately 34 feet. The building would be in earth tones and desert landscaping. The Proposed Project features would blend with the existing setting and are not anticipated to adversely alter the existing viewshed of any scenic vistas and no mitigation measures are required.

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

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

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

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

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

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

Less Than Significant. The Proposed Project would be located on vacant undeveloped land with no current sources of glare or light. The proposed building

would be located in the western third of the Proposed Project parcel. The property to the north of the project site is currently vacant and undeveloped. The property to the west of the site includes Little Morongo Road and beyond the road it includes rural residential development and undeveloped properties.

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

2. AGRICULTURE

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

No Impact. The California Farmland Mapping and Monitoring Program, Important Farmlands Map for Riverside County does not list the soils on the project site as Prime Farmland or Farmland of Statewide Importance (CDC 2012). The soils on the project site are listed as Other Land. Examples of Other Land include low density rural developments, brush, timber, wetland, and reparation areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development greater than 40 acres is mapped as other land. Therefore, the Proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use and no mitigation measures are required.

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

No Impact. The Proposed Project is not located in an agricultural use zone nor is it subject to a Williamson Act Contract. Therefore, the Proposed Project would not conflict with existing zoning for agricultural use or a Williamson Act Contract and no mitigation measures are required.

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

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

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

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

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

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

3. AIR QUALITY

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

No Impact. The project site and the Coachella Valley are located in the northern region of the Salton Sea Air Basin (SSAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the Air Quality Management Plan (AQMP)". Strict consistency with all aspects of the plan is usually not required. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

(1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

(2) Whether the project will exceed the assumptions in the AQMP in 2012 (the currently approved AQMP) or increments based on the year of project buildout and phase.

Both of these criteria are evaluated in the following sections.

A. Criterion 1 - Increase in the Frequency or Severity of Violations

Based on the air quality modeling analysis contained in the Air Quality Impact Analysis prepared by Kunzman Associates, Inc. for the Proposed Project (Air Analysis; Kunzman 2016), the short-term construction impacts would not result in significant impacts based on the SCAQMD regional and local thresholds of significance. This Air Analysis also found that long-term operations impacts would not result in significant impacts based on the SCAQMD regional and local thresholds of significance.

Therefore, the Proposed Project is not anticipated to contribute to the exceedance of any air pollutant concentration standards and is found to be consistent with the AQMP for the first criterion.

B. Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the Proposed Project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the Proposed Project are based on the same forecasts as the AQMP. The *2012-2035 Regional Transportation/Sustainable Communities Strategy*, prepared by Southern California Association of Governments (SCAG), 2012, consists of three sections: Core Chapters, Ancillary Chapters, and Bridge Chapters. The Growth Management, Regional Mobility, Air Quality, Water Quality, and Hazardous Waste Management chapters constitute the Core Chapters of the document. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this project, the City of Desert Hot Springs Land Use Plan defines the assumptions that are represented in the AQMP.

The project site is currently designated as Light Industrial (I-L), with a small portion of the northeast corner of the site as Floodways (OS/FW), in the City of

Desert Hot Springs General Plan. The proposed industrial use, with the northeastern portion of the site being left as open space, would be consistent with the current General Plan land use designation. Therefore, the Proposed Project would not result in an inconsistency with the current land use designation in the City's General Plan. Therefore, the Proposed Project is not anticipated to exceed the AQMP assumptions for the project site and is found to be consistent with the AQMP for the second criterion.

Based on the above, the Proposed Project would not conflict with the implementation of the SCAQMD AQMP. Therefore, no impact would occur.

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

Less Than Significant. The SCAQMD CEQA Handbook states that any project in the South Coast Air Basin with daily emissions that exceed any of the identified significance thresholds, as summarized in Table 3-1, should be considered as having an individually and cumulatively significant air quality impact.

Table 3-1
SCAQMD Air Quality Significance Thresholds for Coachella Valley[1,2]

Mass Daily Thresholds		
Pollutant	**Construction (lbs/day)**	**Operation (lbs/day)**
NOx	100	100
VOC	75	75
PM_{10}	150	150
$PM_{2.5}$	55	55
SOx	150	150
CO	550	550
Lead	3	3
Toxic Air Contaminants (TAC), Odor and GHG Thresholds		
TACs	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
GHG	10,000 MT/yr CO_2e for industrial projects	
Ambient Air Quality Standards		
Pollutant	**SCAQMD Standards**	
NO_2 -1-hour average	0.18 ppm (338 µg/m^3)	
PM_{10} -24-hour average Construction Operations	 10.4 µg/m^3 2.5 ug/m^3	
$PM_{2.5}$ -24-hour average Construction Operations	 10.4 µg/m^3 2.5 µg/m^3	
SO_2 1-hour average	 0.25 ppm 0.04 ppm	

24-hour average	
CO 1-hour average 8-hour average	 20 ppm (23,000 µg/m^3) 9 ppm (10,000 µg/m^3)
Lead 30-day average Rolling 3-month average Quarterly average	 1.5 µg/m^3 0.15 µg/m^3 1.5 µg/m^3

[1] Source: http://www.aqmd.gov/ceqa/handbook/signthres.pdf
[2] Construction thresholds apply to both the South Coast Air Basin and Coachella Valley. For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds.
$MTCO_2e$: Metric tons of carbon dioxide equivalent
µg/m^3 : Microgram per cubic meter
Source: Kunzman 2016

Construction Impacts. Construction activities associated with the Proposed Project would result in emissions of Reactive Organic Gases (ROG), carbon monoxide (CO), volatile organic compounds (VOCs), nitrogen oxides (NOx), sulfur oxide (SO_x), particulate matter with a diameter of 10 microns or less (PM_{10}), and particulate matter with a diameter of 2.5 microns or less ($PM_{2.5}$). Construction related emissions are expected from the following construction activities:

- Site Preparation
- Grading
- Building Construction
- Landscaping
- Paving
- Architectural Coating
- Construction Workers Commuting
- Off-site Improvements

Construction-related criteria pollutant emissions for the Proposed Project are shown on Table 3-2.

Table 3-2
Construction-Related Regional Pollutant Emissions[1]

Proposed Project						
Activity	**Pollutant Emissions (pounds/day)**					
	ROG	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Grading						
On-Site[2]	3.46	35.98	25.38	0.03	4.50	3.18
Off-Site[3]	1.35	16.07	19.82	0.05	1.79	0.73
Subtotal	**4.80**	**52.05**	**45.20**	**0.08**	**6.29**	**3.91**
Building Construction						
On-Site[2]	3.10	26.41	18.13	0.03	1.78	1.67
Off-Site[3]	1.24	5.42	16.95	0.03	1.94	0.59
Subtotal	**4.35**	**31.83**	**35.08**	**0.05**	**3.72**	**2.26**
Paving						

Proposed Project						
Activity	**Pollutant Emissions (pounds/day)**					
	ROG	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
On-Site[2]	1.87	17.16	14.49	0.02	0.94	0.86
Off-Site[3]	0.05	0.05	0.60	0.00	0.13	0.03
Subtotal	**1.92**	**17.22**	**15.09**	**0.02**	**1.06**	**0.90**
Architectural Coating						
On-Site[2]	14.81	2.01	1.85	0.00	0.15	0.15
Off-Site[3]	0.11	0.13	1.43	0.00	0.30	0.08
Subtotal	**14.92**	**2.13**	**3.29**	**0.01**	**0.45**	**0.23**
Total for overlapping phases[4]	**21.19**	**51.17**	**53.46**	**0.09**	**5.24**	**3.39**
SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	No	No	No	No	No	No
Off-Site Improvements						
Activity	**Pollutant Emissions (pounds/day)**					
	VOC	**NOx**	**CO**	**SO_2**	**PM_{10*}**	**$PM_{2.5*}$**
Site Preparation						
On-Site[2]	1.27	12.69	7.23	0.01	0.84	0.72
Off-Site[3]	0.02	0.02	0.22	0.00	0.04	0.01
Total	**1.29**	**12.70**	**7.45**	**0.01**	**0.88**	**0.73**
Paving						
On-Site[2]	1.27	9.83	7.24	0.01	0.60	0.56
Off-Site[3]	0.06	0.07	0.79	0.00	0.15	0.04
Total	**1.33**	**9.90**	**8.03**	**0.01**	**0.75**	**0.60**
Total of overlapping phases[5]	**22.52**	**63.88**	**61.49**	**0.10**	**6.12**	**4.12**
SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Thresholds	No	No	No	No	No	No

[1] Source: CalEEMod Version 2013.2.2
[2] On-site emissions from equipment operated on-site that is not operated on public roads. On-site grading PM_{10} and $PM_{2.5}$ emissions show mitigated values for fugitive dust for compliance with SCAQMD Rule 403.
[3] Off-site emissions from equipment operated on public roads.
[4] Construction, painting and paving phases may overlap
[5] Construction of off-site improvements may overlap with construction phases of the proposed project.
Source: Kunzman 2016

As shown on Table 3-2, none of the analyzed criteria pollutants would exceed the regional emissions thresholds. Therefore, a less than significant impact would occur from construction emissions.

The local air quality emissions from construction were analyzed using the SCAQMD's Mass Rate Localized Significant Threshold Look-up Tables and the methodology described in Localized Significance Threshold (LST) Methodology, prepared by SCAQMD, revised July 2008. The Look-up Tables were developed by the SCAQMD in order to readily determine if the daily emissions of CO, NOx, PM_{10}, and $PM_{2.5}$ from the Proposed Project could result in a significant impact to the local air quality. The emission thresholds were selected based on the Coachella Valley source receptor area (SRA) 30 and a disturbance of two acres per day. According to LST Methodology, any receptor located closer than 25 meters (82 feet) shall be based on the 25 meter thresholds. The nearest sensitive receptors are the existing residential uses located approximately 60 feet (18 meters) west of the site; therefore, the SCAQMD Look-up Tables for 25

meters was used. Table 3-3 shows the on-site emissions from the CalEEMod model for the different construction phases, and the LST emissions thresholds.

Table 3-3
Local Construction Emissions at the Nearest Receptors[1]

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	CO	PM_{10}	$PM_{2.5}$
Grading	35.98	25.38	4.50	3.18
Building Construction	26.41	18.13	1.78	1.67
Paving	17.16	14.49	0.94	0.86
Architectural Coating	2.01	1.85	0.15	0.15
SCAQMD Threshold for 25 meters (82 feet)[2]	**191**	**1,299**	**7**	**5**
Exceeds Threshold?	No	No	No	No

[1] Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 2 acres at a distance of 25 m in Coachella Valley.
[2] Closest sensitive receptor is approximately 60 feet (18 meters) west of the site.
Source: Kunzman 2016

As shown on Table 3-3, none of the analyzed criteria pollutants would exceed the calculated local emissions thresholds at the nearest sensitive receptors. Therefore, a less than significant local air quality impact would occur from construction of the Proposed Project.

Operation Impacts. Operational activities associated with the Proposed Project would result in emissions of Reactive Organic Gases (ROG), NOx, CO, SOx, PM_{10}, and $PM_{2.5}$. Estimated maximum peak operational emissions are summarized in Table 3-4.

Table 3-4
Summary of Operational Emissions (lbs/day)[1]

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources[2]	9.44	0.00	0.04	0.00	0.00	0.00
Energy Usage[3]	0.04	0.40	0.34	0.00	0.03	0.03
Mobile Sources[4]	1.22	3.98	13.94	0.03	0.56	0.63
Total Emissions	**10.71**	**4.38**	**14.33**	**0.03**	**0.59**	**0.66**
SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Threshold?	No	No	No	No	No	No

[1] Source: CalEEMod Version 2013.2.2
[2] Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
[3] Energy usage consists of emissions from generation of electricity and on-site natural gas usage.
[4] Mobile sources consist of emissions from vehicles and road dust.
Source: Kunzman 2016

Table 3-4 shows that the Proposed Project's unmitigated emissions would not exceed SCAQMD regional thresholds. Therefore, a less than significant regional air quality impact would occur from operation of the Proposed Project.

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a project, if the project includes stationary sources, or attracts mobile sources (such as heavy-duty trucks) that may spend long periods queuing and idling at the site; such as industrial warehouse/transfer facilities. The Proposed Project is a medical marijuana cultivation facility and does not include such uses. Deliveries would typically be made with cargo vans or small box truck type delivery vehicles that would not idle on-site. Therefore, due the lack of stationary source emissions, no long-term localized significance threshold analysis is warranted.

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

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

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

Less than Significant. As discussed in Question 3b), above, LSTs are designed to identify impacts to sensitive receptors. The nearest sensitive receptors to the project site are the single-family detached residential dwelling units located approximately 60 feet to the west of the project site, across Little Morongo Road. Single-family detached residential dwelling units are also located approximately 0.20 miles north, 0.28 miles northeast, and 0.38 miles east of the project site. Desert Hot Springs High School is located approximately 0.59 miles northeast of the project site. Project construction and operations emissions would be below the LSTs. Impacts would be less than significant and would not require mitigation.

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

Less Than Significant. Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are short-term in nature and the odor emissions are expected cease upon the drying or hardening of the odor producing materials. Diesel exhaust and

VOCs would be emitted during construction of the Proposed Project, which are objectionable to some; however, emissions would disperse rapidly from the project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the Proposed Project.

Potential sources of operational odors generated by the Proposed Project would include plant blossom odors and disposal of miscellaneous commercial refuse. As mandated by the City's Municipal Code Chapters 5.50 and 17.180, all medical marijuana cultivation activities are permitted only within enclosed facilities and its operations shall not be visible from the exterior of the facility. Further, all medical marijuana cultivation facilities shall provide the necessary odor control, ventilation, and filtration systems such that the marijuana odors are not detectable outside of the cultivation facilities, or within the common use and office areas of the facilities. Consistent with City requirements, all Proposed Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations, thereby precluding substantial generation of odors due to temporary holding of refuse on-site Moreover, SCAQMD Rule 402 acts to prevent occurrences of odor nuisances. Potential operation-source odor impacts are therefore considered to be less than significant.

4. BIOLOGICAL RESOURCES

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

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

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

The CVMSHCP is a long-term program designed to conserve federally protected species, state-protected species, and/or other species of concern. The CVMSHCP program aims to conserve over 240,000 acres of open space and protect 27 plant and animal species by providing comprehensive compliance with federal and state endangered species laws. The CVMSHCP includes most of the Coachella Valley floor portion of Riverside County (CVAG 2007). The project site shares a common boundary with the Morongo Wash Special Provisions Area which lies within the Upper Mission Creek/Big Morongo Canyon Conservation Area.

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

No special-status plant species were observed during the biological reconnaissance survey of the project site; however, suitable habitat for special-status species is present within the project site. The project site provides suitable habitat for six special-status plant species that have either a high or moderate potential to occur on the project site based on the presence of suitable habitat and documented observations. The following four plant species have a high potential to occur: Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*); white-bracted spineflower (*Chorizanthe xanti* var. *leucotheca*); Little San Bernardino Mountains linanthus (*Linanthus maculatus* ssp. *maculatus*); and desert spike-moss (*Selaginella eremophila*). The following two species have a moderate potential to occur: Chaparral sand-verbena (*Abronia villosa* var. *aurita*) and triple-ribbed milk-vetch (*Astragalus tricarinatus*).

Of the six special-status plant species with high or moderate potential to occur on the project site, three of them are covered under the CVMSHCP (Coachella Valley milk-vetch, Little San Bernardino Mountains linanthus, and triple-ribbed milk-vetch) and would not require focused surveys or mitigation beyond payment of the MSHCP local development mitigation fees (Mitigation Measure B-1).

None of the sensitive plant species not covered by the CVMSHCP are federally- or state-listed species, but all three species have California Rare Plant Ranks

(CRPR) that classify them as threatened in California. White-bracted spineflower is classified as a 1B.2 (moderately threatened in California and elsewhere [20-80 percent of occurrences threatened/moderate degree and immediacy of threat]). Desert spike-moss is classified as a 2B.2 (moderately threatened in California [20-80 percent of occurrences threatened/moderate degree and immediacy of threat]). Both of these species have a high potential to occur on the site. Chaparral sand-verbena is classified as a 1B.1 (seriously threatened in California and elsewhere [over 80 percent of occurrences threatened/high degree and immediacy of threat]). This species has a moderate potential to occur on the site.

Accordingly, if the white-bracted spineflower, desert spike-moss, and/or chaparral sand-verbena are present on the project site in significant numbers, construction activities associated with the Proposed Project could result in the loss of individuals of species that are rare in California. Implementation of Mitigation Measure B-2 would reduce impacts to a less-than-significant level.

Wildlife. No special-status wildlife species were observed during the biological reconnaissance survey of the site. However, the project site provides suitable habitat for 18 sensitive wildlife species that have a high (7) or moderate (11) potential to occur on the project site based on the presence of suitable habitat and documented observations. Of the 18 special-status wildlife species with high or moderate potential to occur on the project site, seven of them are covered under the CVMSHCP and would not require focused surveys or mitigation beyond payment of the MSHCP local development mitigation fees (Mitigation Measure B-1). However, the remaining eleven species may require mitigation or avoidance measures. None of these eleven species are federally or state-listed species. With the exception of burrowing owls (*Athene cunicularia*) and desert kit fox (*Vulpes macrotis arsipus*), discussed below, loss of approximately 9.75 acres of habitat for these non-listed species is unlikely to substantially reduce the habitat for these species or lead to listing, and a less than significant impact would occur.

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

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

Vegetation on the project site offers nesting habitat for bird species. The CVMSHCP does not address bird species covered under the MBTA, and all development within the CVMSHCP areas is required to comply with the MBTA and avoid impacts to nesting birds. If construction occurs during the bird breeding season (February through August for raptors and March through August for most other birds) ground disturbing construction activities could affect birds and their nests. Impacts would be less than significant with the implementation of Mitigation Measure B-5.

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

B-2: A preconstruction survey shall be conducted for the special-status plant species that have been identified to have high or moderate potential to occur and are not covered by the CVMSHCP (white-bracted spineflower, desert spike-moss, and chaparral sand-verbena). The survey shall be conducted according to the CNPS Botanical Survey Guidelines (CNPS 2001). If a population of special-status plants, not covered by the CVMSHCP, is found on the project site, then CDFW shall be consulted to discuss appropriate mitigation measures. Mitigation measures could include, but are not limited to, seed collection and/or transplanting.

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

2012) shall be followed for avoidance and/or passive relocation, in consultation with CDFW.

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

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

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

No Impact. The project site does not support riparian habitat, sensitive natural communities, wetlands, or trees that would need to be preserved and no project related impacts are anticipated for these resources.

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

Less than Significant with Mitigation. One small desert wash was identified along the eastern border of the project site. The seasonal wash exhibited characteristics that suggested that it channels surface water, and although a formal jurisdictional delineation was not conducted as part of the biological

reconnaissance survey, the drainage is likely jurisdictional as a Water of the State and regulated by the Regional Water Quality Control Board (RWQCB) and by CDFW as a streambed (ECORP 2016a).

Preliminary design plans indicate that there would be impacts to the desert wash. Potential impacts to the wash are associated with the construction a new 12-inch water main that would be installed along the entire length of the project parcel along the northern boundary. Therefore, coordination with the RWQCB would be required to confirm waters of the State and obtain Section 401 Water Quality Certification and coordination with CDFW would be required to confirm jurisdictional features and obtain a 1602 Streambed Alteration Agreement. With implementation of Mitigation Measures B-6 and B-7 impacts would be less than significant.

Coordination with the United States Army Corps of Engineers (USACE) would not be necessary because the seasonal wash within the project site does not connect to interstate waters and would also not be considered a navigable water of the U.S. as defined in the Clean Water Act (CWA). Therefore, this seasonal desert wash would not be jurisdictional under Section 404 of the CWA.

B-6: Coordination with the RWQCB will be required to confirm waters of the State. If waters of the State are confirmed, then a Section 401 Water Quality Certification will be required from the RWQCB. Water Quality Certification shall be obtained prior to receiving a grading permit.

B-7: Coordination with the CDFW will be required to confirm jurisdictional features. If the wash is confirmed to be jurisdictional to the CDFW then a 1602 Streambed Alteration Agreement will be required. A Section 1602 Notification shall be submitted and agreement obtained prior to receiving a grading permit.

c) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than significant. The project site provides wildlife movement opportunities due to the fact that it is open and unimpeded land. However, it would not be considered a wildlife movement corridor that would need to be preserved in order to allow wildlife to move between important natural habitat areas due to the lack of conserved natural lands in the vicinity and the project site's close proximity to industrial and residential areas. The site is exposed and does not contain any major drainages or washes that would be considered movement corridors for wildlife. The dirt roads running along the borders and within the site are likely utilized by wildlife moving through the area but they would not be considered

linkages between conserved natural habitat areas. Impacts would be less than significant.

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

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

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

Less than Significant. The project site shares half of its northern border (eastern half) and all of its eastern border with the Morongo Wash Special Provisions Area which lies within the Upper Mission Creek/Big Morongo Canyon Conservation Area (ECORP 2016a). Therefore, the Proposed Project would be subject to the Land Use Adjacency Guidelines, provided in Section 4.5 of the CVMSHCP. As shown on the project site plan (Exhibit 2-3), the proposed development would be located in the western half of the project parcel (portion of the project parcel closest to Little Morongo Road). As such, the proposed development would not be located directly adjacent to the Upper Mission Creek/Big Morongo Canyon Conservation Area except for the proposed water main that would extend the entire length of the parcel along its northern boundary. The Proposed Project has been designed to comply with the CVMSHCP Land Use Adjacency Guidelines, as detailed below.

Drainage

Proposed development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area (CVAG 2007).

The Proposed Project would include two detention basins (Exhibit 2-3) that would receive all stormwater flows generated onsite. Runoff from the proposed development would not be discharged into the adjacent conservation area.

Toxins

Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bio-products such as manure that are potentially toxic or may adversely affect wildlife and plant species, habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area (CVAG 2007).

The use of chemicals or bio-products by the Proposed Project would be done in compliance with State and federal regulations regarding their transport, use, and storage. As such, no impacts to adjacent conservation areas are anticipated.

Lighting
For proposed development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual (CVAG 2007).

The Proposed Project includes lighting for parking lots, pedestrian pathways, building entries, and for security. Light fixtures used would have low cutoff angles and be directed downward to minimize light spillover into adjacent properties. Furthermore, the proposed development would be located on the western half of the parcel closest to Little Morongo Road and not directly adjacent to the conservation area.

Noise
Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual (CVAG 2007).

Proposed Project operational noise would primarily be confined to the interior of the proposed structures. As part of the provisions of the Municipal Code, all cultivation operations must remain inside the proposed buildings. Furthermore, the proposed development would be located on the western half of the parcel closest to Little Morongo Road and not directly adjacent to the conservation area minimizing noise impacts.

Invasives
Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table

4-112 of the CVMSHCP. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area (CVAG 2007).

None of the plants listed in Table 4-113 of the CVMSHCP would be used in the landscaping plan.

The Proposed Project would comply with all of the provisions of the CVMSHCP. Impacts would be less than significant.

5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

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

Less Than Significant With Mitigation. A cultural resources assessment was conducted for the Proposed Project in August 2016 (ECORP 2016b). The study consisted of a cultural resources records search, Native American Heritage Commission Sacred Lands File search, and field survey. The records search was conducted at the Eastern Information Center at the University of California Riverside for the project site and a 0.5 mile area surrounding the project site. The records search indicated that the project site had not previously been surveyed; however, eighteen cultural resources investigations have been conducted within a 0.5-mile radius of the site. The records search identified one cultural resource, a household refuse deposit, located within 0.25 miles of the project site.

During the cultural resources field survey, two historic-period isolate finds (MM-001-I and MM-002-I) were identified on the project site, consisting of two historic-age cans. Isolated finds consist of one or two artifacts that do not provide sufficient information to be important in prehistory or history. Therefore, isolates are not eligible for inclusion in the California Register of Historical Resources (CRHR). Because isolates are not CRHR-eligible, they are not Historical Resources under CEQA; therefore, any impacts to this resource from the development of the parcel would not be an impact, and no mitigation measures are required.

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

CR-1: If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the Applicant shall immediately notify the City Planner. A qualified

archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Agua Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.

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

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

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

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

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

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

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

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

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

No Impact. Draft Text to be completed by the City. On XXXX XX, 2016, the City of Desert Hot Springs sent a letter to notify the Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, and Soboba Band of Luiseño Indians of their opportunity to initiate consultation under AB 52. As the lead agency, the City of Desert Hot Springs shall begin formal consultation only when a California Native American tribe requested to the lead agency, in writing, to be informed through formal notification of proposed projects and when the tribe, after being noticed, responds within 30 days to indicate its desire to consult on the specific project. As a result of the letter sent by the City, no Native American tribes have yet requested consultation under AB 52. A Sacred Lands File search by the Native American Heritage Commission did not identify any tribal cultural resources within or in the vicinity of the project site. No impact to Tribal Cultural Resources is anticipated and no mitigation is required.

6. GEOLOGY AND SOILS

a) *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:*

i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Less Than Significant. According to the City of Desert Hot Springs General Plan, the nearest faults to the project site are the Banning and Mission Creek faults, which are segments of the San Andreas Fault. Based on analysis of the

San Andreas Fault's earthquake potential, a major seismic event within the City of Desert Hot Springs planning area would lie within intensity zones IX through XI on the Modified Mercalli Intensity Scale (MMIS). The MMIS measures the damage potential of an earthquake based on peoples reaction to a quake, and observed damage to structures and other physical effects. The MMIS is measured within twelve levels of intensity, ranging from I (tremor not felt) to XII (damage is nearly total). During an earthquake the City of Desert Hot Springs would be exposed to ground shaking and ground rupture.

There are no known active faults that traverse the project site or its immediate vicinity. According to the California Division of Mines and Geology, Desert Hot Springs Quadrangle Special Studies Zone Map, the nearest fault to the project site is the Mission Creek Fault. This fault is located 1.25 miles northeast of the project site and lies within an Alquist-Priolo Earthquake Fault Zone (CDC 1980; City of Desert Hot Springs 2000).

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

ii. Strong seismic ground shaking?

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

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

iii. Seismic-related ground failure, including liquefaction?

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

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

iv. Landslides?

No Impact. Landslides can generally occur in areas that have steep slopes and can be caused by seismic activity and/or extended periods of rain resulting in high water saturation of soils. Topographically, the project site is relatively flat with a high elevation of 1,057 feet above mean sea level (amsl) in the northwest corner. The project site is not located in an area susceptible to rock falls or landslides. No impacts related to landslides are anticipated for the Proposed Project and no mitigation measures are required.

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

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

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

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

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

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

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

No Impact. The City of Desert Hot Springs planning area is underlain by alluvial and aeolian sediments. According to the City of Desert Hot Springs General Plan, these sediments are prone to collapse and design and construction methods should be considered to prevent saturation of soils (City of Desert Hot Springs 2000).

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

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

No Impact. Mission Springs Water District provides waste water treatment services in this area, including the proposed site. The Proposed Project would retain all stormwater on site. Two detention basins are proposed on the south side of the project site for this purpose. The Proposed Project does not propose the construction of septic tanks or alternative disposal systems. The Proposed Project would not have impacts related to soils incapable of adequately

supporting septic tanks or alternative wastewater disposal systems and no mitigation measures are required.

7. GREENHOUSE GAS EMISSIONS

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

Less Than Significant. The Proposed Project is anticipated to generate greenhouse gas (GHG) emissions from area source, energy usage, mobile sources, water, and construction equipment. The CalEEMod Version 2013.2.2 was used to calculate the GHG emissions from the Proposed Project. The Proposed Project's emissions were compared to the SCAQMD industrial threshold of 10,000 metric tons CO_2e per year. The Proposed Project's GHG emissions have also been compared to the emissions-reducing measures, goals, and policies provided in the Climate Action Plan (CAP).

The Proposed Project's GHG emissions are shown in Table 3-5.

Table 3-5
Project-Related Greenhouse Gas Emissions[1]

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO_2	**NonBio-CO_2**	**CO_2**	**CH_4**	**N_2O**	**CO_2e**
Area Sources[2]	0.00	0.01	0.01	0.00	0.00	0.01
Energy Usage[3]	0.00	222.50	222.50	0.01	0.00	223.54
Mobile Sources[4]	0.00	327.98	327.98	0.01	0.00	328.19
Waste[5]	11.33	0.00	11.33	0.67	0.00	25.38
Water[6]	3.30	38.78	42.08	0.34	0.01	51.83
Construction[7]	0.00	14.52	14.52	0.00	0.00	14.56
Sequestration from trees[8]						-0.67
Total Emissions	14.63	603.77	618.40	1.03	0.01	**642.85**
SCAQMD Draft Threshold						**10,000**
Exceeds Threshold?						**No**

[1] Source: CalEEMod Version 2013.2.2
[2] Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.
[3] Energy usage consist of GHG emissions from electricity and natural gas usage.
[4] Mobile sources consist of GHG emissions from vehicles.
[5] Solid waste includes the CO_2 and CH_4 emissions created from the solid waste placed in landfills.
[6] Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
[7] Construction GHG emissions CO2e based on a 30 year amortization rate. Includes emissions from off-sites
[8] CO2 sequestration from the planting of ~19 trees (22.6560/20 years [trees' lifetime])
Source: Kunzman 2016

Table 3-5 shows that the Proposed Project's unmitigated GHG emissions would be 642.85 $MTCO_2e$ per year. A cumulative global climate change impact would occur if the GHG emissions created from the on-going operations would exceed the SCAQMD tier 3 threshold of 10,000 metric tons per year of CO_2e for

industrial projects. Therefore, operation of the Proposed Project would not create a significant cumulative impact to global climate change. Impacts would be less than significant.

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

No Impact. The City of Desert Hot Springs adopted its CAP in May of 2013. The City of Desert Hot Springs CAP was set in place to guide the City in decisions that lead to the largest and most cost-effective emissions reductions. This plan sets forth goals to reduce emissions to achieve the targets of AB 32. In order to achieve these targets, the CAP presents a number of GHG emissions-reducing programs and policies that are to be implemented by the City. These emissions-reducing measures have been provided for different sectors of the community including transportation, residential buildings, commercial buildings, government incentives, renewable energy, cross-cutting initiatives, solid waste, and water. As specified in the CAP, these measures are to be implemented in a series of three phases over a course of eight years beginning in 2013. The Proposed Project would be expected to comply with all applicable emissions-reducing measures identified within the CAP.

Project consistency with applicable measures in the CAP has been assessed. As shown in Table 3-6, the Proposed Project is consistent with the applicable measures and the project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. No impact would occur.

Table 3-6
City of Desert Hot Springs CAP Applicable Measures Project Comparison[1]

Sector	CAP Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
Sphere - "Where We Live"		
Solid Waste	Solid Waste Diversion: Increase solid waste diversion rate by 5% to 68.1% by 2015 potentially through use of tiered rate structure.	Consistent. The Proposed Project would be required to comply with AB 341, which includes recycling programs that reduces waste to landfills by a minimum of 50 percent (up to 75% by 2020).
Solid Waste	Solid Waste Diversion: Increase solid waste diversion rate by an additional 10% to 78.1% by 2020 potentially through awareness programs, recognition, tiered rate structures, and other financial instruments.	Consistent. The Proposed Project would be required to comply with AB 341, which includes recycling programs that reduces waste to landfills by a minimum of 50 percent (up to 75% by 2020).
Sphere - "Where We Work"		
Commercial Buildings	Peak Demand Reduction: Collaborate with SCE and	Consistent. This is a city-based measure. If the Proposed Project is

Sector	CAP Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
	encourage 100 businesses to enroll in Energy Efficiency and Demand Response programs such as the Summer Discount Program.	mandated by the City to be one of the 100 businesses that are to enroll in an Energy Efficiency and Demand Response program then the Proposed Project would comply as needed.
Commercial Buildings	Energy-Efficient, Commercial-Sector Lighting: Promote and leverage existing incentives for efficient lighting and educate and locally incent building owners to eliminate any remaining T-12 lamps in commercial/industrial buildings.	Consistent: The Proposed Project would comply with current Title 24 requirements for installation of energy-efficient lighting.
Commercial Buildings	"The Temperature Club": Promote community partnership through policies to adjust indoor temperatures to save/degree reaching out to 100 businesses.	Consistent. This is a city-based measure. If the Proposed Project is mandated by the City to be one of the 100 businesses in the "Temperature Club," the project will comply as needed.
Commercial Buildings	Integrated Lighting Systems: Promote SCE's Energy Management Solutions' energy- efficient lighting linked to building controls and occupancy sensors in minimum of 1 million square feet of commercial/industrial space.	Consistent. This is a city-based measure. If the Proposed Project is mandated by the City to be part of the 1 million square feet of commercial/industrial space that is to have energy-efficient lighting linked to building controls and occupancy sensors, then the Proposed Project would comply as needed.
Government Initiatives	Water Efficient Landscaping Ordinance: Build on and exceed current Water Efficient Landscaping Ordinance in the commercial/industrial sector by 15% community-wide by 2020.	Consistent. The Proposed Project is to be landscaped with drought-tolerant ground cover, trees, and shrubs as approved by the City of Desert Hot Springs. Plant irrigation would use drip or micro-spray applicators to avoid overwatering and promote water efficiency.
Sphere - " How We Build"		
Commercial Buildings	Sustainable Parking Lots: Program to reduce the heat island effect through the promotion of parking lot coverings and coatings and semi permeable surfaces for new construction to achieve 20% of existing parking lots, and 80% of new parking lots.	Consistent: The Proposed Project includes the planting of trees in the parking lot that would provide shade and reduce the heat island effect and semi-permeable paving will be used as required by the City.
Commercial Buildings	"Cool Roofs": Promote the installation of reflective roofing on commercial/industrial properties in the community with recognition for first ten early adopters.	Consistent: The Proposed Project would comply with current Title 24 prescriptive cool roof requirements to meet energy compliance.
Government Initiatives	Green Building Program: Promote the voluntary Green Building Program to prepare for enhanced	Consistent. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part

Sector	CAP Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
	Title 24 requirements and green building standards.	of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that will become mandatory in the 2010 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The Proposed Project would be subject to these mandatory standards.
Water	Stormwater Capture: Promote storm water capture and detention for exterior landscape use (cisterns, rain barrels) to demonstrate 10 new systems by 2020.	Consistent. The Proposed Project includes two detention basins along the south side of the parcel and would include devices to capture rainwater as required by the City.

[1] Source: City of Desert Hot Springs Climate Action Plan (2013).
Source: Kunzman 2016

8. HAZARDS AND HAZARDOUS MATERIALS

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

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

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

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

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

Less Than Significant. The potential risk associated with accidental discharge during use and storage of equipment-related hazardous materials during construction is considered low because the handling of any such materials would be addressed through the implementation of BMPs. The Proposed Project consists of the construction of an indoor marijuana cultivation facility that would involve cleaning compounds, sanitizing agents, solvents, and potentially flammable materials during the operation of the facilities.

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

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

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

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

d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as*

a result, would it create a significant hazard to the public or the environment?

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

The search results did not identify any records or sites in connection with the property. No Leaking Underground Storage Tank Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks are known to occur on or around the property. The nearest such site is a Permitted Underground Storage Tank located at 15501 Little Morongo Road, approximately 1.25 miles southwest of the project site (SWRCB, DTSC, EPA 2016). The Proposed Project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and no mitigation measures are required.

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

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

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

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

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

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

The Riverside County Fire Department, under contract with the City of Desert Hot Springs, provides 24-hour fire protection and emergency medical services to the Project area. The City of Desert Hot Springs has two fire stations, Battalion 10, Station 36 located at 11535 Karen Avenue is approximately 2.2 miles northwest from the project site and Battalion 10, Station 37 located at 65958 Pierson Boulevard, approximately 1.0 miles northeast from the project site. The Proposed Project is not anticipated to hinder goals and or policies set forth in the Emergency preparedness element of the City of Desert Hot Springs General Plan.

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

h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

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

Although the project site and its general surroundings are undeveloped with vegetation, these conditions have not been recognized to meet the criteria of high or very high fire hazard zones. The Riverside County Integrated Project (RCIP) indicates that the project area is not within the Very High Severity Zone, and it is listed as being in a Non-Very High Fire Hazard Severity Zone on the Cal Fire Map Local Responsibility Area (LRA) Map for Western Riverside County.

The project site is not located near or adjacent to any wildfire areas. As previously discussed, the project will include the necessary fire protection facilities necessary to satisfy the local Fire Department requirements. No impact would occur, and no mitigation measures are required.

9. HYDROLOGY AND WATER QUALITY

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

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

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

Less Than Significant. The City of Desert Hot Springs primarily relies on groundwater for its domestic water through extraction of groundwater from the Mission Creek subbasin, which forms a part of the larger Coachella Valley Groundwater Basin (SWRCB 2016). Within the project area, the Coachella Valley Water District (CVWD), Desert Water Agency (DWA), and the Mission Springs Water District (MSWD) manage the Mission Creek and Garnet Hill Subbasins Water Management Plan. This plan identifies long-term goals to direct operations of current and future water demands. The project site is located within the jurisdiction of the MSWD.

MSWD is responsible for distributing domestic water to the City of Desert Hot Springs. According to the MSWD 2010 Urban Water Management Plan, the

Mission Springs subbasin is currently in overdraft condition. Through agreements with the CVWD and DWA, the City of Desert Hot Springs is currently in cooperation with the MSWD and other agencies and jurisdictions to implement a groundwater replenishment program to ensure the function and sustainability of the Mission Creek subbasin.

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

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

Less Than Significant. The project site is currently flat, and does not include a stream or river. One small desert wash was identified along the eastern border of the project site. Preliminary design plans indicate that there would be impacts to the desert wash. Potential impacts to the wash are associated with the construction a new 12-inch water main that would be installed along the entire length of the project parcel along the north boundary. Construction of the site would include grading, including creation of two detention basin on the south side of the parcel. Substantial alterations of the drainage patterns of the site or area or alteration of the course of a stream or river are not proposed. Impacts would be less than significant and no mitigation measures are required.

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

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

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

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

f) Would the project otherwise substantially degrade water quality?

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

g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

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

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

Less Than Significant. As discussed above, the Proposed Project is in the 100-year flood hazard area (Flood Zone AO) designated by FEMA. The project site and the surrounding area is subject to inundation by the 100 year flood to an average depth of one foot and a velocity of five feet per second. The Proposed Project would place a 45,000 square foot industrial building and associated parking, landscaping, and other site improvements on a previously vacant site within the 100-year flood hazard area. Stormwater runoff would be directed into two detention basins on the south side of the parcel. Therefore, the Proposed Project would not impede or direct flood flows. No mitigation would be required.

i) Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

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

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

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

10. LAND USE AND PLANNING

a) Would the project physically divide an established community?

No Impact. The Proposed Project site is currently vacant and is zoned as Light Industrial (I-L) District and designated as such by the City of Desert Hot Springs General Plan. The I-L District is designated to support land uses for light industrial uses functioning within enclosed buildings and the development of business parks. As described previously in Section 2.1 Project Vicinity, the surrounding land uses immediately adjacent to the Project site include undeveloped vacant land with conditions similar to those found on the project site and light industrial facilities. To reduce and avoid land use incompatibility, the I-L

District is predominantly separated from residential and commercial uses. There are no established communities that would be divided through implementation of the Proposed Project. The Proposed Project would not divide an established community and no mitigation measures are required.

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

No Impact. As part of the Proposed Project, the applicant is seeking approval of a Conditional Use Permit (CUP) (Municipal Code 17.180.090) and Regulatory Permit (Municipal Code Chapter 5.50) to develop 9.75 acres for the proposed medical marijuana cultivation facility. Through this CUP, an evaluation of the design and operation of the Proposed Project would render the project in full compliance with City regulations. In addition, all medical marijuana cultivation operations and any related activities, such as transportation, manufacturing, and testing, are required to comply with all relevant State laws and any future law that may be enacted.

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

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

Less than Significant. As previously described in Section 4.4 item f) of this Initial Study, the project site is located within the CVMSHCP, a regional plan which identifies policies for conservation for federally protected species, state-protected species, and/or other species of concern. The CVMSHCP program aims to conserve over 240,000 acres of open space and protect 27 plant and animal species by providing comprehensive compliance with federal and state endangered species laws. The CVMSHCP includes most of the Coachella Valley floor portion of Riverside County habitats and natural communities found within the Coachella Valley (ECORP 2016a).

The project site shares half of its northern border and all of its eastern border with the Morongo Wash Special Provisions Area which lies within the Upper

Mission Creek/Big Morongo Canyon Conservation Area (ECORP 2016a). Therefore, the Proposed Project would be subject to the Land Use Adjacency Guidelines, provided in Section 4.5 of the CVMSHCP. As shown on the project site plan (Exhibit 2-3), the proposed development would be located in the western half of the project parcel (portion of the project parcel closest to Little Morongo Road). As such, the proposed development would not be located directly adjacent to the Upper Mission Creek/Big Morongo Canyon Conservation Area except for the proposed water main that would extend the entire length of the parcel along its northern boundary. The Proposed Project would not conflict with the CVMSHCP. Impacts would be less than significant.

11. MINERAL RESOURCES

a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. The Surface Mining and Reclamation Act of 1975 (SMARA) requires all cities and counties to incorporate the mapped mineral resource designations approved by the State Mining and Geology Board, in their General Plans. These designations categorize land into four Mineral Resource Zones.

According to the City of Desert Hot Springs General Plan, Energy and Mineral Resources Element and the SMARA map of Desert Hot Springs, the project site is not located within Mineral Resource Zone (MRZ) (City of Desert Hot Springs 2000; CDC 2016). The project site is currently vacant, and is not being used for mining.

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

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

No Impact. As described in the Desert Hot Springs General Plan, Energy and Mineral Resources Element, primary mineral resources that are known to exist in the Coachella Valley region consist of sand and gravel (aggregate) commonly found along and near local drainages (City of Desert Hot Springs 2000).

Aggregate is essential for local and regional construction industries which rely heavily on a dependent source for building materials including asphalt, concrete, road base, stucco and plaster.

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

12. NOISE

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

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

The project site is located on vacant land surrounded by vacant land to the north designated, east, and south and low density residential to the west. Surrounding land use designations include Residential Low Density with a Specific Plan Overlay (R-L/SP) to the north, Floodways (OS/FW) to the east, Light Industrial (I-L) to the south, and Residential Low Density (0-5 du/ac; R-L) to the west. The nearest sensitive receptors include three single-family residences located approximately 60 feet across the project site on Little Morongo Road.

According to the City of Desert Hot Springs General Plan, Noise Element, land uses have different sets of noise standards based on the susceptibility of sensitive receptors, such as people. The project site falls into the category of “Industrial” based on the Light Industrial land use designation. For this land use, the normally acceptable noise exposure ranges from 50 to 75

Community Noise Equivalent Level (CNEL). Unacceptable noise levels range from 70 and 80 CNEL and construction noise exceeding 75 CNEL is highly discouraged (City of Desert Hot Springs 2000).

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

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

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

Less Than Significant. Groundborne vibration is an unusual environmental problem that can have the same detrimental psychological impacts as airborne disturbances. Groundborne vibration, also referred to as earthborne vibration, can be described as perceptible rumbling, movement, shaking or rattling of structures and items within a structure. Groundborne vibration can generate a heightened disturbance in residential areas. These vibrations can disturb residential structures and household items while creating difficulty for residential activities such as reading or other tasks. Although groundborne vibration is sometimes perceptible in an outdoor environment, it is not a problem as it is when this form of disturbance is experienced inside a building. Groundborne vibration can be measured in terms of amplitude and frequency or vibration

decibels (VdB). Trains, buses, large trucks and construction activities that include pile driving, blasting, earth moving, and heavy vehicle operation commonly cause these vibrations. Other factors that influence the disturbance of groundborne vibration include distance to source, foundation materials, soil, and surface types.

The Proposed Project is located in a partially developed industrial district and adjacent to a low density residential area. The nearest residential development is located directly across the project site on the west side of Little Morongo Road. Current traffic on Little Morongo Road represents an existing source of groundborne vibration due to circulation of larger vehicles and trucks.

Construction of the Proposed 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 Proposed Project, all routine project operations would occur within the proposed structures and during the permitted hours of operation, as mandated by the local ordinance and conditioned by the City. The routine operation of vehicles accessing the project site would cause an incremental increase in groundborne vibration, but not in levels that would be deemed inconsistent with the existing industrial setting or excessive in nature, such that would impact local residential uses. Less than significant impacts related to excessive groundborne vibration noise levels is expected and no mitigation measures are required.

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

Less Than Significant. As described previously, the project site is vacant land bounded by Little Morongo Road on the western boundary of the project site and undeveloped land to the north, east, and south. Currently, the project site is not an existing source of ambient noise. Any noise as a result of operation of the Proposed Project would be contained within the proposed building structures with minimal activity within the enclosure of the proposed security fence. The amount of traffic as a result of operation of the Proposed Project would be incremental and is not anticipated to substantial increase ambient noise levels. The Proposed Project would not result in substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project and no mitigation measures are required.

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

Less Than Significant. Construction of the Proposed Project would temporarily increase ambient noise levels that would otherwise be absent without the Proposed Project. However, construction contractors are expected to comply with the City's established noise standards including hours of operation and maintain equipment consistent with manufacturer's standards. The project site is located across three single family residences; however, Little Morongo Road separates the project site from the residences. The Proposed Project would not result in significant impacts related to temporary or periodic ambient noise levels and no mitigation measures are required.

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

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

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

No Impact. The project site is not located within the vicinity of a private airstrip. As such, no impacts are expected and no mitigation measures are required.

13. POPULATION AND HOUSING

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

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

The Proposed Project does not include construction of residential housing. Any improvements to roads and other infrastructure would be related to access to the cultivation facility and would not induce substantial population growth to the area.

The Proposed Project would not induce substantial population growth in an area, either directly or indirectly and no mitigation measures are required.

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

No Impact. The existing Project site consists of vacant land zoned for Light Industrial (L-I) use and would not displace any existing housing necessitating the construction of replacement housing elsewhere. The nearest existing housing is scattered rural residences to the west of the Proposed Project which will not be impacted by construction. The Proposed Project will not significantly displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere and no mitigation measures are required.

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

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

14. PUBLIC SERVICES

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

i. Fire protection?

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

There are two RCFD fire stations located within the City of Desert Hot Springs: Battalion 10, Station 36 located at 11535 Karen Avenue, approximately 2.2 miles northwest of the project site and Battalion 10, Station 37 located at 65958 Pierson Boulevard, approximately 1.0 mile northeast from the project site.

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

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

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

ii. Police protection?

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

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

v. Schools?

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

iv. Parks?

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

v. Other public facilities?

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

15. RECREATION

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

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

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

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

16. TRANSPORTATION/TRAFFIC

a) *Would the project conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets highways and freeways, pedestrian and bicycle paths, and mass transit.*

Less Than Significant. The Proposed Project consists of the construction of a 45,000-square-foot industrial building on approximately 9.75 acres for the indoor cultivation of medical marijuana. Parking would be provided on the western side of the project site adjacent to Little Morongo Road and along the northern part of the project site adjacent to the Hacienda Avenue, which would be improved by the Proposed Project. The entrance to the project site would be from Hacienda Avenue and would be gated. The proposed building would be located on the western third of the parcel, which would be enclosed within a perimeter security fence with controlled vehicular access on and off the project site.

The cultivation facility would operate in accordance with the Municipal Code Chapter 5.50 Medical Marijuana facilities; operating between the hours 8:00 a.m. and 10:00 p.m., up to seven days a week. Seventy four (74) parking spaces (70 standard spaces and 4 handicap spaces) would be provided for employees and would be consistent with City parking standards.

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

traffic volume capacity of the roadway system while still maintaining an adequate level of driver satisfaction (City of Desert Hot Springs 2000).

According to the City of Desert Hot Springs General Plan, Circulation Element, the Little Morongo Road segment south of Pierson Boulevard identified an ADT of 1,900 and operated at a LOS A in 1999. A review of the City's General Plan EIR did not identify at what LOS the Little Morongo Road Segment south of Pierson Boulevard would function at the City's projected buildout. However, segments to the north and south of this segment were projected to operate at a LOS D at the City's projected buildout.

According to Caltrans Divisions of Traffic Operations Traffic Census Report, ADT for Little Morongo Road has increased since 1999; however, this roadway segment has been designed to adequately accommodate the increase in traffic conditions. In order to receive approval of the CUP and implementation of the Proposed Project, the project applicant must comply with off-site street design standards and site circulation. Additionally, the Proposed Project would pay into the Coachella Valley Associate of Governments (CVAG) Transportation Uniform Mitigation Fee (TUMF) program, a sales tax established by Riverside County voters in 1989 to assist with off-setting the cost of residential, industrial, and commercial development. Operation of the Proposed Project would include vehicle trips from employees and deliveries; the facility would not be open to the public. Traffic resulting from operation vehicle trips is expected be typical of Light Industrial (L-I) land uses and would not substantially increase capacity of the adjacent roadway segments within the project vicinity.

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

b) *Would the project conflict with an applicable congestion management program including, but not limited to, level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways?*

No Impact. The Riverside County Transportation Commission (RCTC) is responsible for preparing a Congestion Management Program (CMP) to manage regional transportation. The CMP identifies growth management strategies that link land use, transportation, and air quality issues to effectively

implement programs that alleviate traffic congestion. The CMP includes coordination with local agencies, the County of Riverside, transit agencies and sub-regional agencies like CVAG. As the acting Congestion Management Agency, the RCTC is also responsible for maintaining a uniform database of traffic impacts for use in a countywide transportation computer model; specifically, the Coachella Valley Area Transportation System (CVATS) sub-regional transportation model and the Riverside Transportation Analysis Model (RIVTAM) to analyze traffic impacts as a result of development and land use plans. The most current version of the Highway Capacity Manual sets the standards for measuring traffic congestion. Any segment or intersection within the CMP system must meet the minimum standard of LOS E. The Proposed Project is consistent with the City's General Plan. Traffic as a result of implementation of the Proposed Project is not expected to contribute to an exceedance of a level of service standards identified in the CMP individually nor cumulatively.

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

No Impact. The Proposed Project is not located within proximity of an airport; therefore, it would not result in impacts to air traffic patterns. No mitigation measures are required.

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

No Impact. Currently, the project site is located on vacant land. Access to the project site would be provided by a driveway from Hacienda Avenue. In the project area Hacienda Avenue is currently unimproved. Off-site improvements including street paving of ingress/egress access driveways would be required to implement the project. The Proposed Project would improve Hacienda Avenue from Little Morongo Road east for the full length of the proposed building. The Proposed Project would also build a 30-foot wide fire lane along the east and southern sides of the proposed building with access from the improved Hacienda Avenue. These proposed improvements would be reviewed by the City and Riverside County Fire Department to ensure compliance with local development standards regarding roadway ingress/egress designs and to verify that implementation of the Proposed Project would not result in traffic safety impacts. The Proposed Project does not include incompatible uses or design features that would substantially increase hazards. No mitigation measures are required.

e) Would the project result in inadequate emergency access?

No Impact. The Proposed Project is required to comply with the City of Desert Hot Springs and the County of Riverside Fire Department site plan design review requirements and standards by providing sufficient access for emergency response vehicles. As previously stated, the Proposed Project would provide a 30-foot wide fire lane along the east and southern sides of the proposed building with access from the improved Hacienda Avenue.

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

f) Would the project result in inadequate parking capacity?

No Impact. The Proposed Project would provide 74 parking spaces in accordance with City requirements. The Proposed Project would have sufficient parking, and no mitigation measures are required.

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

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

17. UTILITIES AND SERVICE SYSTEMS

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

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

Wastewater generated by the Proposed Project is not anticipated to exceed wastewater treatment requirements by the Colorado River Regional Water Quality Control Board. As part of the Proposed Project, the project applicant is seeking a CUP. Compliance with the CUP in addition to review oversight by the MSWD would ensure compliance with all current and applicable wastewater treatment requirements. The Proposed Project would not significantly impact wastewater treatment requirements of the applicable Regional Water Quality Control Board. No mitigation measures are required.

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

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

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

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

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

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

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

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

Less Than Significant. Wastewater generated from the Proposed Project is expected to be minor relative to the capacity of the current wastewater treatment facilities described above under item a). Wastewater would be transported to MSWD for treatment through the existing sewer pipeline system and powered by pump stations. As described previously, wastewater improvements would be

identified my MSWD and included as conditions of approval by the City of Desert Hot Springs. The Proposed Project would not significantly impact wastewater treatment capacity and no mitigation measures are required.

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

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

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

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

18. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant With Mitigation. With Mitigation Measures B-1 through B-7 and CR-1 through CR-3, impacts to fish and wildlife and California history and prehistory would be less than significant.

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

Less Than Significant With Mitigation. With Mitigation Measures B-1 through B-7 and CR-1 and CR-3, the Project's contribution to cumulative impacts would not be considerable.

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

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

Sources

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