

Draft Initial Study and Mitigated Negative Declaration

**Application for Conditional Use Permit
Bunch Palms Trail, LLC Cultivation Facility
Conditional Use Permit 05-15
Development Agreement 03-15**

Prepared for:

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



Prepared by:



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Rich Malacoff, AICP
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CHAPTER ONE – INTRODUCTION

1.1 Purpose and Authority

This Initial Study and Mitigated Negative Declaration have been prepared to construct a medical marijuana cultivation facility in accordance with City Ordinance 552 and 553. 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 other state laws pertaining to cultivating and dispensing Medical Marijuana.

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

The project proposes to construct a facility for the indoor cultivation of medical marijuana on a vacant property of approximately 2.13 acres in area. The proposed cultivation facility includes two attached primary buildings (numbered 1 and 2) with two stories, arranged in an inverted L-shape and adjoined by four attached greenhouses, along with the development of private driveways, parking spaces, landscaping, full security fencing, site grading and retention facilities. The total site would contain 35,031 square feet of grow rooms and 23,544 square feet of greenhouse. The building architecture and surrounding landscape architecture on the property will require review and approval by the City of Desert Hot Springs, thus helping ensure that aesthetic considerations of the community are addressed in the design. For full project description see page 8 of this document.

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



1.2 Determination

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

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

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

1.4 Public Review Process

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



CHAPTER TWO – PROJECT DESCRIPTION

2.1 Project Vicinity

The Project site is located on approximately 2.13 acres of vacant desert land on the southwest corner of Two Bunch Palms Trail and Cabot Road in the City of Desert Hot Springs, California.

Total Project Area: 2.13 acres

Assessor's Parcel Number: 665-030-058

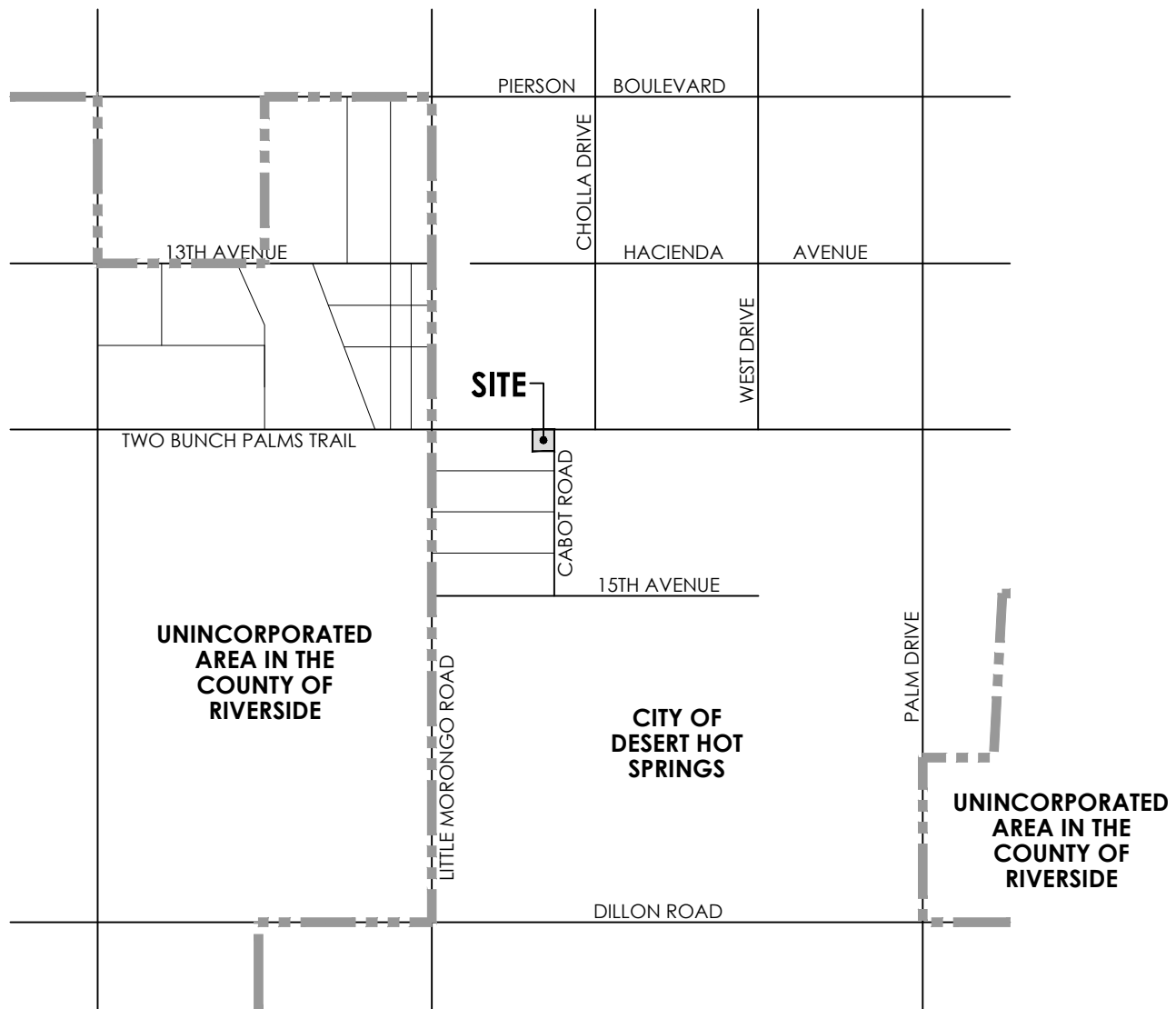
Section, Township & Range Description or reference:

Section 1, Township 3 South, Range 4 East, San Bernardino Base Line & Meridian

The project property of approximately two acres is located at the southwest corner of Two Bunch Palms Trail and Cabot Road. It is presently vacant and predominantly flat with scattered vegetation coverage, primarily consisting of desert scrub. There are no salient topographic features or other visual landmarks on the site or its surroundings. The existing southerly and westerly boundaries are delineated by chain-link fencing while the northerly and easterly limits are not physically demarcated. The undeveloped project property has distant and relatively unobstructed views of the Santa Rosa Mountains toward the south. Views of the San Jacinto Mountains and San Bernardino Mountains toward the southwest and west are partially obstructed due to the adjoining automotive repair shop facilities and the nearby industrial development in those directions. Views of the Little San Bernardino Mountains to the north and northeast are relatively unobstructed due to lack of development.

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



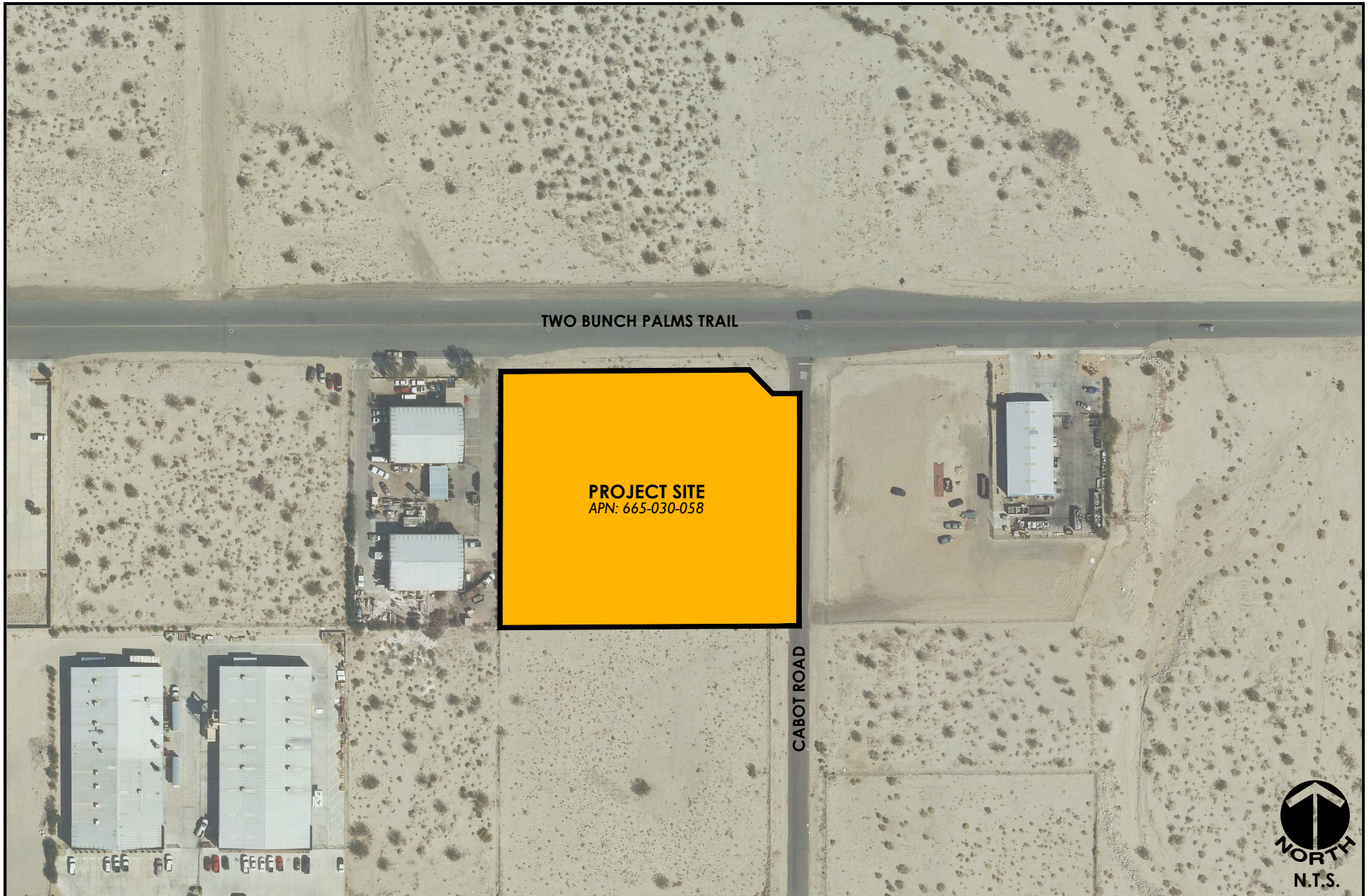


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Vicinity Map

Bunch Palms, LLC Cultivation Facility
Initial Study



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Aerial Photograph

Bunch Palms, LLC Cultivation Facility
Initial Study

2.2 Project Description

The project proposes to construct a facility for the indoor cultivation of medical marijuana with supporting infrastructure improvements on approximately 2.13 acres in accordance with the City of Desert Hot Springs standards. The proposed cultivation facility includes two attached primary buildings (numbered 1 and 2) with two stories, arranged in an inverted L-shape and adjoined by four attached greenhouses. The building architecture and surrounding landscape on the property will require review and approval by the City of Desert Hot Springs, thus helping ensure that aesthetic considerations of the community are addressed in the design. The building interior is designed to include office space, an employee breakroom, storage, cutting room and drying room, four grow rooms and four greenhouses, and a 24-hour security guard two-bedroom apartment. The building foundations will be comprised of platers and wood frames.

Based on the project site plan, a paved parking lot with 42 stalls is proposed. Proposed light poles in the parking lot area would provide the necessary nighttime illumination for safety and facility security. Two paved vehicular driveways on Two Bunch Palms would provide site ingress and egress for clients. A hard pavement surface is proposed for the main parking area in front of the structure as well as the interior drive that exits onto Cabot Road.

The Project would provide two on-site stormwater retention basins and an underground retention device that during the life of the project will comply with the Stormwater Management and Discharge Controls stipulated in Chapter 13.08 of the Desert Hot Springs Municipal Code (Ordinance #1997-03). The expected retention capacity of 17,056 cubic feet is sized to contain the 100-year, 24-hour duration storm event and therefore meet the City's requirements on Stormwater Management and Discharge Controls and minimize the discharge and transport of pollutants associated with the new development. Upon buildout, the rear project perimeter would be secured by a 8-foot chain link fence.

To provide proper access to the facility, the proposed off-site improvements include street paving on portions of Two Bunch Palms Trail and Cabot Road along its frontage and will undergo City and Fire Department review before their approval to ensure that the local development standards for roadway in interior & exterior circulation designs are met without resulting in traffic safety impacts. The project does not include sharp curves or dangerous intersections. No incompatible uses or hazardous design features will result from the proposed project as a standard condition. Street improvement plans will be subject to review and approval by the Engineering Department at the City of Desert Hot Springs.

The project will be developed in a single phase and operations would be similar to that of a standard wholesale nursery. The project will operate with approximately 19 full time employees and within the allowable hours designated by the City. Hours will be consistent with Ordinance 552. Medical marijuana facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. The cultivation of marijuana requires staff to be present on premises 24 hours per day. Only authorized staff and delivery personnel will be allowed to enter the premises. An onsite apartment is included



in the structure to accommodate a 24 hour security employee. All staff will be subject to thorough background checks as per City regulations.

Security measures have been thoroughly incorporated into the project. The site is entirely enclosed with perimeter fencing. A gated entry/exit will control vehicular access to and from the property. A security guard would be on site 24-hours a day. Security cameras would be mounted inside and outside of the entire building. A more detailed, comprehensive security plan is required by the City during the regulatory permit phase. This will include specific locations and areas of coverage by security cameras; location of audible interior and exterior alarms; location of exterior lighting; name and contact information of Security Company monitoring the site and any additional information required by the City.

The project site plan is shown below, in Exhibit 3.

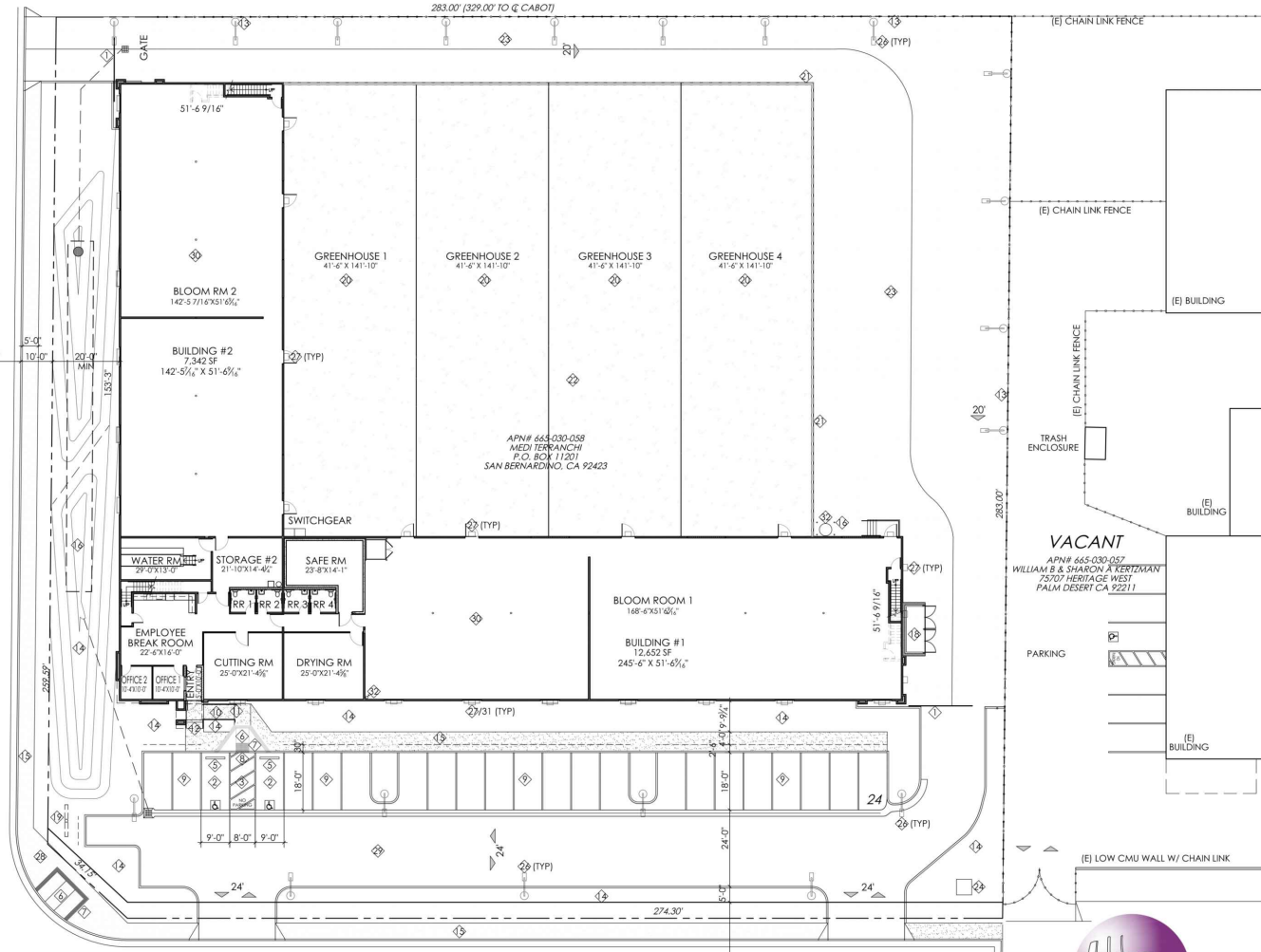


VACANT

APN# 665-030-024
SANTOS & LEODIVINA LOPEZ
17929 AVENIDA HANNAH
DESERT HOT SPRINGS, CA 92241
283.00' (329.00' TO Q CABOT)

VACANT
APN# 665-030-058
MEDI TERRANCHI
P.O. BOX 11201
SAN BERNARDINO, CA 92423

CABOT ROAD



2 BUNCH PALMS TRAIL



ARCHITECTURE PLANNING INTERIORS
WILLIAM MASON ARCHITECT INC.
3276 DAKOTA AVENUE
COSTA MESA, CALIFORNIA 92626
714.427.0688 FAX: 714.724.3990
EMAIL: 888@WilliamMasonArchitect.com



N.T.S.



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Site Plan - William Mason Architect, Inc.

Bunch Palms, LLC Cultivation Facility
Initial Study

2.3 Mitigation Monitoring Program

Mitigation measures are included within each section of the initial study checklist 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
IV. Biological Resources	BR-1: The project proponent shall ensure that the applicable MSHCP Local Development Mitigation Fee is paid to the City. The time of payment must comply with the City's Municipal Code (Chapter 3.40).	Developer	Prior to building permits	Less than significant
	BR-2: The project proponent shall ensure that burrowing owl clearance survey is performed not more than 30 days prior to project site disturbance (grubbing, grading, and construction). If any owls are identified, the most current protocol established by the California Department of Fish and Wildlife (Burrowing Owl Mitigation) must be followed.	Developer	Prior to grading and other ground disturbing activities	Less than significant
	BR-3: The project applicant shall ensure that the project site design and operations adhere to and incorporate the applicable Land Use Adjacency Guidelines established in the Coachella Valley Multiple Species Habitat Conservation Plan throughout project approvals.	Developer	Prior to grading and other ground disturbing activities	Less than significant
V. Cultural Resources	CR-1: If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the applicant shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by, and at the cost of, the applicant to identify the resource and recommended mitigation if the resource is culturally significant. The archaeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Aqua	Planning Department Qualified Archaeologist	During grading and other ground disturbing activities	Less than significant

Section Number	Mitigation Measures	Responsible for Monitoring	Timing	Impact after Mitigation
	Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.			
	CR-2: The applicant shall ensure that any excavations deeper than 10-15 feet shall be monitored by a qualified paleontological monitor. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. Additionally, the grading plan shall include a note that excavations deeper than 10 feet are planned (if any) and notification of such planned excavations be provided by the grading engineer to the Planning Department.	Grading Engineer Planning Department Qualified Paleontologist	During grading and other ground disturbing activities	Less than significant
	CR-3: All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other approved curation facility.	Planning Department Qualified Paleontologist	During grading and other ground disturbing activities	Less than significant
	CR-4: In the event that any human remains are discovered, the applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the Desert Hot Springs Police Department. The applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).	Planning Department	During grading and other ground disturbing activities	Less than significant

CHAPTER THREE – ENVIRONMENTAL CHECKLIST

1. **Project Name:** Bunch Palms Trail, LLC 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:**
Rich Malacoff, AICP
Acting Community Development Director
760-329-6411
4. **Project Location:**
See Exhibit 1 and 2
5. **Project Applicants' Name and Address:**
Bunch Palms Trail, LLC
Medi Tehranchi
PO Box 11201
San Bernardino, CA 92263
6. **General Plan Designation:** I-L Light Industrial
7. **Zoning Designation:** I-L Light Industrial
8. **Description of Project:** A Conditional Use Permit to construct a medical marijuana facility specifically for cultivation and processing. The facility would develop a 2-story building consisting of a small office, restroom, apartment for security and plant processing area and four (4) attached climate controlled greenhouses, located on a vacant and undeveloped 2.13-acre parcel.
9. **Surrounding Land Uses and Setting:** Surrounded on the north, south, east and west by scattered light industrial uses and vacant land. There is Open Space-Flood Ways to the north and west.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** None.



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

On the basis of this initial evaluation

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



Acting Community Development Director

10/19/15

Date



City of Desert Hot Springs

Date: October 2015

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

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. 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 Resource Board. Would the project:



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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resource Code section 122220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the exiting environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. CULTURAL RESOURCES -- Would the project:

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

VI. GEOLOGY AND SOILS -- Would the project:

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



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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS – Would the project:				
f) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



e) Result in inadequate emergency access? ☐ ☐ ☒ ☐

f) 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? ☐ ☐ ☐ ☒



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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CHAPTER FOUR – DISCUSSION OF ENVIRONMENTAL IMPACTS

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

I. AESTHETICS

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

The vacant project property is situated within a partially developed industrial district in the City of Desert Hot Springs that occurs generally south of Two Bunch Palms Trail and east of Little Morongo Road. This area of the City is designated to support business parks and the development of industrial uses operating in enclosed buildings. The district is largely segregated from the City's residential and commercial uses, a condition which is intended to reduce land use incompatibility. Existing industrial establishments in the vicinity and mostly west of the project site include automotive repair shops, light manufacturing facilities and religious services. Some structures are unoccupied. The visual character of this development is representative of an industrial setting. Accordingly, many of the existing facilities consist of metal buildings with low-pitch roofs, and a mass and scale proportional to the operation or service being supported. Undeveloped properties with flat topography and scattered vegetation are interspersed throughout this vicinity.

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

The project property of approximately two acres is located at the southwest corner of Two Bunch Palms Trail and Cabot Road. It is presently vacant and predominantly flat with scattered vegetation coverage, primarily consisting of desert scrub. There are no salient topographic features or other visual landmarks on the site or its surroundings. The existing southerly and westerly boundaries are delineated by chain-link fencing while the northerly and easterly limits are not physically demarcated. The undeveloped project property has distant and



relatively unobstructed views of the Santa Rosa Mountains toward the south. Views of the San Jacinto Mountains and San Bernardino Mountains toward the southwest and west are partially obstructed due to the adjoining automotive repair shop facilities and the nearby industrial development in those directions. Views of the Little San Bernardino Mountains to the north and northeast are relatively unobstructed due to lack of development. All visible mountain ranges are located over a mile from the project site and none have a formal designation as a scenic vista in relation to the project setting.

The proposed cultivation facility includes two attached primary buildings (numbered 1 and 2) with two stories, arranged in an inverted L-shape and adjoined by four attached greenhouses. The contiguous arrangement of these facilities creates a visually unified structural mass that fronts Two Bunch Palms Trail to the north. A paved parking lot with two vehicular driveways and landscaping enhancements would occupy the property's north frontage. Proposed lighting in the parking lot areas would provide the necessary nighttime illumination for safety and facility security. The Cabot Road frontage would be occupied by two proposed earthen retention basins next to Building 2 and one vehicular driveway near the southeast property corner.

A concrete drive aisle would border the westerly and southerly edges of the property, providing service and fire access to the rear of the structures. The drive aisle would also be designed to convey stormwater runoff into the proposed inlets that drain into the on-site retention facilities. The proposed building's architectural treatment would help improve the visual character of the site and promote a positive aesthetic in the industrial setting. The overall architectural character would be that of an attractive, well-maintained industrial facility. The proposed landscaping would incorporate native plantings along the north and east frontage. In the context of the existing setting and land use designation, the proposed project is not anticipated to adversely alter the existing viewshed on any scenic vistas.

Less than significant impacts are anticipated on the effect on a scenic vista 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?*

As described previously, the project property is characterized by largely flat, vacant land with sparse vegetation. The property is one of multiple undeveloped lots interspersed throughout the industrial district. The project site does not contain any landmarks or scenic resources, such as trees, rock outcroppings, that would be damaged by the proposed development. Land to the north of the project, across Two Bunch Palms Trail, is undeveloped. Land to the east, across from Cabot Road, is developed as a recycling facility within chain-linked fenced



boundaries. Adjoining land to the south is undeveloped. To the west, the project site is bordered by an automotive repair business that includes two metal buildings.

The project is not located within close proximity to any designated state or county scenic highway. According to the Circulation Element of the Riverside County General Plan Update, the nearest roadway deemed eligible to be a County Scenic Highway is a segment of Pierson Boulevard, located approximately 1 mile to the north. Interstate 10, located approximately 3.5 miles to the south, is also considered eligible to be a County Scenic Highway. The purpose of the State Scenic Highway Program is to preserve and protect scenic State highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State highways can be officially designated as Scenic Highways or be determined to be eligible for designation. The status of a state scenic highway changes from eligible to "officially designated" when a local jurisdiction adopts a scenic corridor protection program and the California Department of Transportation (Caltrans) approves the designation as a Scenic Highway.

The proposed site plan, architectural design, and landscaping design will work to ensure that any alteration to the existing undeveloped setting serve as an aesthetic improvement to the conditions and those of nearby transportation corridors without damaging local aesthetic values.

Less than significant impacts are expected and no mitigation measures are required.

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

The project is located in a designated industrial district of the City. The proposed facilities include two buildings and four greenhouse structures attached in a configuration that result in a unified building form. The heights and setbacks of the proposed facilities will be required to comply with the local standards for industrial development, therefore matching the existing visual character in relation to nearby industrial facilities. Consistent with the existing land use standards, the proposed medical marijuana cultivation will only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation operations and all marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation of medical marijuana.

On-site improvements also include parking lot facilities and interior drive aisles with lighting facilities for nighttime security illumination. The proposed perimeter landscaping along the Two Bunch Palms Trail and Cabot Road frontage will help enhance the visual character of the streetscape in a manner that complement the local desert environment. Furthermore, project site design, architecture and landscape architecture on the property will require review and approval by the



City of Desert Hot Springs to ensure that aesthetic considerations of the community are addressed in the proposed design.

Less than significant impacts are expected 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?*

The Project property is presently undeveloped; therefore, there are no existing sources of glare or light on-site. Undeveloped land to the north and south also does not constitute an existing source of substantial light or glare. The existing development to the west and east of the project site includes metal buildings with downward oriented wall-mounted light fixtures for nighttime illumination. The construction materials and architectural coating on these structures and supporting facilities do not have reflective properties or other conditions deemed to cause substantial daytime or nighttime glare. Local streets do not have light posts or traffic signals. Limited daytime glare and nighttime lighting are attributed to vehicular traffic on Two Bunch Palms Trail to the north and Cabot Road to the east.

The construction materials and architectural coating on the proposed structures and supporting facilities are not expected to have reflective properties or other conditions that would cause substantial daytime or nighttime glare.

The project would incorporate outdoor illumination for nighttime safety and facility security, thus addressing the site security requirements established in City Ordinance Number 552. The proposed lighting will be installed for parking and interior drive aisle safety. The project's new source of lighting will be required to conform to the City's Outdoor Lighting Standards, which are established to preserve low ambient lighting levels while maintaining security considerations.

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

Less than significant impacts are expected and no mitigation measures are required.



II. 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?*

The proposed project will not disturb or convert any designated farmland or other form of agricultural resource. According to the 2012 California Farmland Mapping and Monitoring Program, a large portion of the City of Desert Hot Springs is categorized as "Urban Built-up Land". This designation is not considered important farmland. Urban Built-up Land is used to identify properties occupied by structures that are residential, industrial, commercial, construction, institutional, public administration, cemeteries, airports, golf courses, sanitary landfills, sewage treatment and water control devices. The subject site and surrounding land to the north, east, south and west is not categorized as Prime Farmland, Unique Farmland, or Farmland of local statewide importance.

No impacts are anticipated to convert any 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?*

The project site is not located in an existing zoning for agricultural use or classified as farm land. According to the Williamson Act Program 2014 Status Report, no portion of land within a one-mile radius is recognized as being under a Williamson Act Contract. The proposed project will not impact or remove land from the City or County's agricultural zoning or agricultural preserve.

No impacts are anticipated to 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?*

Surrounding land uses include vacant undisturbed desert land and scattered residential development. No forest land, timberland, or timberland zoned Timberland Production Areas are situated on or in the immediate surroundings of the site. Therefore, the project will not conflict with or result in the conversion of such land.

No impacts are anticipated to conflict with 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?*

The proposed project will occur in an existing urban setting characterized by vacant desert and scattered development. No forest land occurs on the project site or in the surrounding because forest vegetation is not characteristic of the Coachella Valley desert environment.

No impacts are anticipated to 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 to Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

As previously described, the project site and vicinity are designated by the Desert Hot Springs General Plan and Zoning map as Light Industrial (IL). No farmland or forest land is situated within or adjacent to the project.

No impacts are anticipated in the conversion of farmland to non-agricultural use of forest land to non-forest use and no mitigation measures are required.

III. AIR QUALITY

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

The Project is located in the Coachella Valley region within the Salton Sea Air Basin (SSAB), under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Air quality in the SSAB is influenced by the regional climate as well as the temperature, wind, humidity, precipitation, and amount of sunshine. The Coachella Valley is an arid desert region with a climate characterized by low annual precipitation, low humidity, hot days, and very cool nights. Wind direction and speed (which in turn affect atmospheric stability) are the most important climate elements affecting local ambient air quality. The prevailing wind direction in the Project vicinity is predominantly from the northwest. Desert regions are typically windy because minimal friction is generated between the moving air and the low, sparse vegetation. This allows the wind to maintain its speed crossing the desert plains. Additionally, the rapid daytime heating of the air closest to the desert surface leads to convective activity and the exchange of surface air for upper air, which accelerates surface winds during the warm part of the day. Rapid cooling at night in the surface layers during the winter months results in a high frequency of calm winds.

CEQA requires that projects be evaluated for consistency with the local air quality management plans. Such consistency links local planning and individual



projects to the regional plans developed to meet the ambient air quality standards. The assessment takes into consideration whether a project forms part of the planned conditions identified in local plans (General Plan Land Use and Zoning) and whether the project adheres to the City's air quality goals and policies. This comparison helps determine whether a project was included in the local development assumptions that formed part of the regional Air Quality Management Plan.

As previously discussed, the undeveloped project property has a Light Industrial General Plan and Zoning designation. Light industrial districts in the City were established to accommodate business parks and the development of industrial uses operating entirely in enclosed buildings. The project site is largely segregated from the City's intense residential and commercial uses, thus preventing potential land use compatibility concerns.

By being located within an industrial district in the City, the project is consistent with the permitted locations established under Ordinance Number 553. Medical marijuana cultivation facilities (involving the cultivation of more than 99 mature flowering plants) may be located in any Industrial District in the City, upon issuance of a conditional use permit, and a regulatory permit. Consistent with the existing land use standards, the proposed medical marijuana cultivation shall only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation operations and all marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation of medical marijuana. The proposed cultivation facility will be compatible with the existing land use designation on and around the property and is not expected to conflict with the General Plan buildout conditions or obstruct with implementation of its applicable air quality objectives.

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

The Project would not result in or cause violations to the National Ambient Air Quality Standards or California Ambient Air Quality Standards. The Project's



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

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

Less than significant impacts are anticipated to conflict with or obstruct implementation of the applicable air quality plan following the implementation of standard conditions. No mitigation measures are required.

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

The project site is located within the Salton Sea Air Basin, which has been designated by the California Air Resources Board as a nonattainment area for ozone (8-hour standard) and PM10. Violations of the air quality standards for ozone are primarily due to pollutant transport from the South Coast Air Basin.

The SCAQMD has established significance thresholds for specific pollutants on individual projects. These thresholds related to project construction and long term operations are shown in the Mass Daily Thresholds table below. Project effects would be considered significant if the emissions exceed these thresholds. Project effects would also be considered potential significant if emissions affected sensitive receptors such as schools or nursing homes, or if the project conflicted with the regional AQMP and/or local air quality plans.

Table III-1

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

Mass Daily Thresholds		
Pollutant	Construction	Operational
NOx	100 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
VOC	75 lbs/day	55 lbs/day



Source: Air Quality Analysis Guidance Handbook, Chapter 5. Prepared by the South Coast Air Quality Management District. www.aqmd.gov/ceqa/hndbk.html

The California Emissions Estimator Model (CalEEMod Version 2013.2.2; Released October 2, 2013) was utilized to estimate the short-term construction-related emissions of criteria air pollutants and greenhouse gas emissions that would be associated with the construction activities necessary to implement the proposed project. The project parameters involved general light industrial facilities with a total building area of 40,000 square feet, greenhouse facilities with a total building area of 23,600 square feet and parking lot facilities with 24 stalls. Default construction parameters incorporated in CalEEMod were assumed for those construction activities for which site-specific information is not currently available.

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

Chapter 15.84 in the City of Desert Hot Springs Municipal Code outlines the minimum requirements for construction activities to reduce man-made fugitive dust and corresponding PM10 emissions. The City will require the preparation of a Fugitive Dust Control Plan identifying the fugitive dust sources at the site and the work practices and control measures proposed to meet the City of Desert Hot Springs minimum performance. These standards are consistent with SCAQMD Rule 403 and 403.1 and require implementation of Coachella Valley Best Available Control Measures (CVBACM), as identified in the SCAQMD publication Coachella Valley Fugitive Dust Control Handbook.

Fugitive dust control measures that are required to comply with the City Municipal Code are generally not considered mitigation by the SCAQMD. Similarly, compliance with applicable SCAQMD Rules and Regulations is not considered mitigation by the SCAQMD.

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



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

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2e
Total Emissions	59.93	25.82	18.22	0.03	49.37	6.17	2,500.67
SCAQMD Threshold	75	100	550	150	150	55	N/A
Threshold Exceeded	No	No	No	No	No	No	N/A

Project Operations

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

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

Emission Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2e
Total Area Sources, Energy Use, Mobile Sources	4.05	7.52	26.63	0.04	2.46	0.78	4,083.46
SCAQMD Threshold	75	100	550	150	150	55	N/A
Threshold Exceeded	No	No	No	No	No	No	N/A

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

Less than significant impacts are anticipated to existing or projected air quality violations and no mitigation measures are required.



- c) *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)?*

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

As mentioned, relative to PM10 threshold exceedance, construction associated with a future project will be required to adhere to the City's Fugitive Dust and Erosion Control policies and ordinance to minimize potential temporary construction related emissions. An approved Fugitive Dust (PM10) Control Plan will be required prior to issuance of a grading permit. The plan will include methods to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. The most widely used methods include proper construction phasing, proper maintenance/cleaning of construction equipment, soil stabilization, installation of track-out prevention devices, and wind fencing.

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

Less than significant impacts are anticipated to 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 and no mitigation measures are required.



d) *Expose sensitive receptors to substantial pollutant concentrations?*

Land uses considered by the SCAQMD to be sensitive receptors include residences, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, child-care centers, retirement homes, and athletic facilities among others. The undeveloped project site and its immediate surroundings do not include the designation of these land uses. The project site is located within a designated industrial district of the City and is bordered by undeveloped land to the north and south. Properties to the east and west are developed with industrial uses.

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

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

Less than significant impacts are anticipated to exposure of sensitive receptors to substantial pollutant concentrations and no mitigation measures are required.

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

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



As previously described, the vacant project property is situated within an industrial district of the City with partial development. This area of the City is designated to support business parks and the development of industrial uses operating in enclosed buildings. Existing industrial establishments near the project site include automotive repair shops and light manufacturing facilities. Some structures are unoccupied and some properties remain undeveloped. The project property is not located near any existing sensitive receptors, such as residences, retirement homes, schools, playgrounds, child-care centers or athletic facilities. The nearest existing residences to the project property are located approximately one-third of a mile to the west and east.

For this project, the only odors would be natural and associated with plant blossoms. As mandated by City Ordinances 552 and 553, all medical marijuana cultivation activities are only allowed in the interior of enclosed structures, facilities, and buildings. Cultivation operations are not allowed to be visible from the exterior. To comply with the conditional use permit requirements, the project operator must provide the necessary odor control, ventilation and filtration systems for the cultivation and office areas of the structures sufficient to ensure that City requirements for odor control are met.

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

Less than significant impacts are anticipated to objectionable odors and no mitigation measures are required.



IV. 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?*

In June of 2015, James W. Cornett Ecological Consultants performed a project-specific *General and Focused Biological Resources Assessment*. The biological survey and analysis was designed to ascertain the impacts of proposed development on the potential biological resources of the project site and immediate vicinity, as mandated by CEQA and required by the City of Desert Hot Springs.

The specific objectives of the biological surveys and analyses are listed below:

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

The survey methodology included literature review to determine resources that are known to exist within the general area and to determine the possible occurrence of sensitive species. The review included a search in the California Natural Diversity Database (updated June, 2015).

Field surveys were initiated in June of 2015. Daytime field surveys were conducted on June 13, 14, 30 and July 1, 2015. Night surveys were conducted on June 13 and 14, 2015. Surveys were conducted by walking east/west transects at 10-yard intervals through the project site and 200 yards beyond the northern boundary. The survey pattern used has been approved by the U.S. Fish and Wildlife Service for determining the presence or absence of the burrowing owl and desert tortoise and represents an intensive survey effort that resulted in no officially listed or federally protected species being overlooked. Animal surveys were conducted simultaneously with plant surveys. In addition, twenty live-animal traps (which capture animals unharmed) for large and small



mammals were set within the project site for twenty-four hour periods on June 13 and 14, 2015.

The biologist's site observations evidenced that the entire site has been graded or grubbed in the past decade. Recent off-road vehicle tracks were also noted. This observation was supported through a review of aerial imagery from multiple years, which also indicated that the site was repeatedly grubbed or graded. As a result, there are no remnants of a native plant community. As observed during the assessment, no blue-line stream corridors or desert wash habitat were found within the project boundaries. Based on these factors, no habitat evaluation or state or federal streambed alteration permits are deemed necessary.

The western burrowing owl was neither observed nor detected during the protocol-level surveys conducted in this study. However, the site conditions are considered suitable habitat for the owl and owls might take up residence on the site at any time. Based upon the recommendation of the California Department of Fish & Wildlife, a focused burrowing owl clearance survey should be conducted not more than 30 days prior to site disturbance (grubbing, grading, and construction).

The Project does not lie within a Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), but the easterly and northerly property boundaries neighbor the Morongo Wash Special Provisions Area. Therefore, the project may be subject to the Land Use Adjacency Guidelines, established to avoid or minimize indirect effects from development adjacent to Conservation Area. The project is required as a standard condition to comply with and pay the relevant CVMSHCP development impact fees.

To the north, the project property is separated from the mapped Morongo Wash Special Provisions Area by the Two Bunch Palms Trail road improvements, which have a 100-foot right-of-way. To the east, the project property is separated from the mapped Morongo Wash Special Provisions Area by the existing Cabot Road improvements within a 60-foot right-of-way. On the east side of Cabot Road, a property within the conservation area is developed as a recycling facility that recently operated as Greenway 360. This property includes one metal structure, parking lot facilities and grubbed/graded land within a fenced area of approximately 2 acres. This recycling facility has a primary access point on Two Bunch Palms Trail and a secondary gate on Cabot Road.

The study concluded that no significant adverse impacts to biological resources in the region are expected to result from project implementation. Therefore, the project would not have a substantial adverse impact on candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The study recommended two measures: 1) Contact CVAG to determine the precise mitigation fee applicable under the CVMSHCP and 2) Conduct a burrowing owl



clearance survey not more than 30 days prior to site disturbance. Due to the project's proximity to the mapped Morongo Wash Special Provisions Area under the MSHCP, the project applicant may be required to ensure that the site design and operations adhere to and incorporate the applicable Land Use Adjacency Guidelines established in the Coachella Valley Multiple Species Habitat Conservation Plan throughout project approvals. This form of mitigation is itemized as BR-1 through BR-3 in this section of the Initial Study.

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

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

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

- b) *Would the project 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 the U.S. Fish and Wildlife Service?*

The biological survey performed on the project property did not find any on-site naturally occurring springs, permanent aquatic habitats, drainages or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. No blue-line stream corridors or desert washes were found within the project boundaries.

The project property is located approximately 600 feet west of the Big Morongo Wash, which is a natural drainage resource found within a Conservation Area of the CVMSHCP. The proposed development would not disturb any portion of this this drainage due to distance.

Because the project would disturb more than one acre, temporary construction activities associated with these improvements would be subject to National Pollutant Discharge Elimination System (NPDES) requirements to ensure that required construction site best management practices are implemented to reduce off-site impacts. Additionally, because the site includes 24 parking spaces and an



excess of 5,000 sq.ft. of parking, the project will also be required to develop and implement a Project-Specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The plan will be reviewed and approved by the City.

The Project-Specific WQMP involves a detailed strategy of site design, source controls, treatment controls and on-going maintenance measures to address post-construction runoff quality and quantity. Such compliance and implementation protects the receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. The strategy of best management practices identified in the site plan includes an on-site retention facilities designed and sized to collect and control urban runoff generated by the project. The quality and quantity of runoff generated by the project is controlled, preventing impacts to any downstream resources. As a result of the absence of significant wash or riparian vegetation, absence of sensitive plant species and absence of sensitive animal species, significant impacts to desert wash or riparian habitats are not expected.

Less than significant impacts pertaining to adverse effects on any riparian habitat or other sensitive natural communities are expected and no mitigation measures are required.

- c) *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?*

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information to the public on the extent and status of the Nation's wetlands. Through the National Wetlands Inventory, the agency has developed a series of maps to display the location and extent of wetlands and deep water habitats. The available maps are used extensively to make resource management decisions at the federal, state and local government levels. According to the project specific biological resources assessment, the project site does not contain federally protected wetlands, marshes or other drainage features. According to the National Wetlands Inventory from the United States Fish and Wildlife Service (USFWS), there are no wetlands or riparian resources on the project property.

As a result, implementation of the project would not result in the direct removal, filling or other hydrological interruption to any of these resources. The proposed on-site storm drain improvements include retention facilities (surface and sub-surface) to prevent the direct discharge and hydro-modification impacts of runoff. A Project Specific Water Quality Management Plan (WQMP) is expected to be prepared to ensure that the project does not contribute pollutants of concern in any project storm runoff.



No impacts are expected to federally protected wetlands and no mitigation measures are required.

- d) *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?*

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

The Biological Assessment performed at the project site included surveys approved by the U.S. Fish & Wildlife Service for determining the presence or absence of the burrowing owl. The surveys revealed no evidence of the western burrowing owl. However, the site conditions are considered suitable habitat for the owl. Based upon the recommendation of the California Department of Fish & Wildlife, a focused burrowing owl clearance survey should be conducted not more than 30 days prior to site disturbance (grubbing, grading, and construction). This measure is specified in Mitigation Measure BR-3 of this Initial Study.

Less than significant impacts are expected to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, provided that the procedures established in Mitigation Measure BR-2 of this Initial Study are implemented pertaining to the burrowing owl.

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

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



No impacts are expected to a tree preservation or policy ordinance 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?*

The project lies within the boundary of the CVMSHCP, which outlines policies for conservation of habitats and natural communities. On October 2, 2008, a habitat mitigation fee from new development projects was instituted to implement the CVMSHCP and support the acquisition of conservation lands. The fee would be applied per Chapter 3.40 of the Desert Hot Springs Municipal Code (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fees). Based on these provisions, the applicable fees would be collected by the City and remitted to the Coachella Valley Conservation Commission (CVCC) at issuance of a certificate of occupancy or upon final inspection of the premises, whichever occurs first. The project is expected to comply with provisions of the CVMSHCP.

The project site is not located within a designated Conservation Area under this plan, but the easterly and northerly property boundaries are within close proximity to the Morongo Special Provisions Area. As a result, the project site design and operations are expected to comply with the CVMSHCP Land Use Adjacency Guidelines. The Land Use Adjacency Guidelines were established in the CVMSHCP to avoid or minimize indirect effects from development adjacent to or within the Conservation Areas.

Adjacent refers to sharing a common boundary with any parcel in a Conservation Area. Indirect effects, commonly known as edge effects, may include drainage, toxics, lighting, noise, and invasives. The project is expected to address the guidelines on Drainage, Toxics, Lighting, Noise and Invasives as discussed below:

Drainage (4.5.1)

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.

The project addresses this guideline through the design of an on-site storm drainage system that includes surface and sub-surface stormwater retention facilities (earthen surface basins with a sub-surface retention device) with the capacity to retain and infiltrate a runoff volume of 17,056 cubic feet, based on the



Preliminary Hydrology Report. The provided retention capacity exceeds the worst-case scenario increase of post-construction runoff generated from the 100-year controlling storm event. It is also concluded in the Preliminary Hydrology Report that the proposed manner in which runoff would be managed by the project is not expected to increase the quantity of runoff or affect adjacent properties. In accordance with Chapter 13.08 (*Stormwater Management and Discharge Controls*) of the Desert Hot Springs Municipal Code (Ordinance #1997-03) the proposed drainage design would prevent the discharge and transport of potential pollutants associated with the new development into its surroundings. As a result, runoff from the site would not be discharged into any conservation area or result in degradation of existing biological resources.

Toxics (4.5.2)

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.

The project's fenced limits have a minimum distance of 60 to 100 feet from the mapped Conservation Area limits due to existing roadways. As mandated by the local zoning ordinance, all cultivation operations of the project shall be conducted in the interior of enclosed structures, facilities, and buildings. All cultivation operations, including materials and waste management, will occur indoors and within the fenced limits. The project will not involve outdoor activities that would potentially introduce chemicals or toxic substances into the Conservation Area.

Lighting (4.5.3)

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.

The project's fenced limits are separated from the nearest Conservation Area boundaries by a distance of 60 to 100 feet. The project would incorporate outdoor illumination for nighttime safety and facility security to address site security requirements established in City Ordinance 552. The project's new source of lighting will also be required to conform to the City's Outdoor Lighting Standards, which are established to preserve low ambient lighting levels while maintaining security considerations.

The proposed lighting will be installed primarily for parking lot security in the form of downward oriented fixtures with shielding that would help prevent light spillage



onto adjacent parcels. Low intensity illumination is also anticipated in the interior drive aisles for employee safety. The proposed nighttime illumination will be implemented in accordance with a project-specific lighting plan, thus subject to review and approval by the City of Desert Hot Springs to ensure consistency with the Municipal Code. The lighting plan will be required to identify exterior lighting that is energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the project property. The light fixtures would be directed downward and away from adjoining properties and the public right-of-way.

Noise (4.5.4)

Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA 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.

As mandated by the local zoning ordinance, all cultivation operations of the project shall be conducted in the interior of enclosed structures, facilities, and buildings. All cultivation operations, including materials and waste management, will occur indoors and within the fenced limits. The project will not involve outdoor activities or operations that would potentially introduce an excessive increase in noise. Incremental increases in ambient noise will occur due to vehicular access to the project's parking lot and interior drive aisle facilities, but these conditions are not expected to result in noise level increases that surpass 75 dBA.

Invasives (4.5.5)

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. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

The proposed landscaping design is expected to incorporate native vegetation within the limits of development. Due to the reserved area on the east end of the property, no landscaping improvements would occur immediately adjacent to the Conservation Area.

Less than significant impacts are expected regarding an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, following the recommended mitigation:



BR-3: The project applicant shall ensure that the project site design and operations adhere to and incorporate the applicable Land Use Adjacency Guidelines established in the Coachella Valley Multiple Species Habitat Conservation Plan throughout project approvals.

V. CULTURAL RESOURCES

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

The project is located on a 2.13 -acre parcel of vacant desert land within a partially developed industrial district in the City of Desert Hot Springs. This area of the City is designated to support business parks and the development of industrial uses operating in enclosed buildings. This district is largely segregated from the City's residential and commercial uses, a condition which is intended to reduce land use incompatibility. Existing industrial establishments in the vicinity and mostly west of the project site include automotive repair shops, light manufacturing facilities and religious services. The project specific historical and archaeological report prepared by CRM Tech (July 2015) found no evidence of any settlement or land development activities on or near the project area. The research methods performed by CRM Tech as part of this assessment included a comprehensive records search, Native American Scoping, consultation with local historical organizations, historical background research and an intensive-level field survey.

According to EIC records, the project area had not been surveyed for cultural resources prior to the study prepared by CRM Tech, and no cultural resources had been recorded on or adjacent to the property. Outside the project area but within a one-mile radius, EIC records show more than 22 previous cultural resources studies on various tracts of land and linear features, collectively covering 40 percent of the land within the scope of the records research. A single historic-period archaeological site, designated 33-024248 (CA-RIV-11907), has been recorded within the one-mile radius. Located approximately 0.37 mile northwest of the project area, Site 33-024248 consisted of an early 20th century refuse scatter.

Historical maps consulted for the project specific study indicate that no man-made feature were present in or near the project area between the 1850s and the 1940s. By the 1950s, two dirt roads along the present- day alignment of Two Bunch Palms Trail and Cabot Road had become the first man-made features to be noted within or adjacent to the project boundaries.



According to historical aerial photographs, both of these streets became paved roads near the project location sometime between 1972 and 1996, and all existing buildings in the neighborhood around the project location date to that period as well. The project site itself remained vacant and undeveloped to the present time.

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

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

No impacts to historical resources are expected and no mitigation measures are required.

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

Archaeological resources are described as cultural resources, such as structures or objects that provide evidence to past human activity. They are important for scientific, historic, and/or religious reasons to cultures, communities, groups or individuals.

The firm CRM TECH conducted a project and site specific study on the historical and archeological resources. As mentioned previously, the assessment included a records search, Native American scoping, historical background research and an intensive-level field survey. Observations by the investigators during the field survey did not encounter buildings or structures. However, a single historic-period archaeological site, designated 33-024248 (CA-RIV-11907), has been recorded within the one-mile radius. Located approximately 0.37 mile northwest of the project area, Site 33-024248 consisted of an early 20th century refuse scatter. No other sites, features, artifacts, or built-environment features of prehistoric or historic age were encountered within the project area during the field survey.

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

Furthermore, the Native American Heritage Commission sacred lands record did not indicate the presence of Native American resources within a half-mile radius of the project. However, the NAHC did recommend that local Native American groups be contacted for further information. The Morongo Band of Mission



Indians responded to written request for comments from CRM TECH and all though they are not aware of any cultural resources within the project boundaries, they have identified the project area as a Traditional Use Area and request the implementation of the Tribe's Standard Development Conditions to ensure proper treatment of Native American Culture Remains, including human remains that may be encountered during earth moving activities. The San Manuel Band of Mission Indians also identifies the project location as part of their Tribe's Traditional Use Area. However, the Tribe has not specific information about any significant cultural resources and request to be notified if any cultural resources are discovered during project construction.

Less than significant impacts are expected to archaeological resources following the recommended mitigation measures:

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

- c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

According to the Riverside County Land Information system, the property is recognized for having low potential for Paleontological Sensitivity. Areas recognized for having "Low" potential have a reduced likelihood of containing significant nonrenewable paleontological resources, including vertebrate or significant invertebrate fossils. Moreover, the site is not recognized as a unique paleontological or a unique geologic feature.

However, per industry standards, excavations deeper than 10-15 feet should be monitored by a qualified paleontological monitor.

Less than significant impacts are expected to paleontological resources following the recommended mitigation measures.

CR-2: The applicant shall ensure that any excavations deeper than 10-15 feet shall be monitored by a qualified paleontological monitor. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. Additionally, the grading plan shall include a note that excavations deeper than 10 feet are planned (if



any) and notification of such planned excavations be provided by the grading engineer to the Planning Department.

CR-3: All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other approved curation facility.

- d) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resource Code 21074?*

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

As previously discussed, the Native American Heritage Commission (NAHC) was contacted by CRM TECH as part of their research for their project and site specific historical and archaeological study. The Native American sacred land record research did not indicate the presence of Native American resources within a half- mile radius of the project site. However, it was recommended that other local Native American groups be contacted for further information. CRM TECH contacted a total of eight local Native American representatives at four tribal organizations, including the Morongo Band of Mission Indians, and the Agua Caliente Band of Cahuilla Indians.

Two of the four Tribal organizations responded in writing, the Morongo Tribe identifies the project in an area considered to be a Traditional Use Area, however, they are not aware of any cultural resources in the property and ask that their “Standard Development Conditions” are imposed. San Manuel Band of Mission Indians also replied that the project is located just inside the Tribe’s ancestral territory. They do not have any information about significant cultural resources but ask to be contacted should any be uncovered during project construction.

Based on research and correspondence from the various Native American representatives, there are no tribal cultural resources as defined by Public Resource Code 21074 on the project site.

Less than significant impacts are expected to Tribal Cultural Resources following implementation of these standard conditions:

- In the even that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the



find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

- a) If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer of his archaeologist shall contact the Morongo Band of Mission Indians.
 - b) The developer of the project archaeologist shall, in good faith consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).
- e) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

The historical and archaeological report prepared by CRM TECH for this project included intensive-level field observations of the entire site. The entire project area was closely inspected for evidence of human activities dating to prehistoric or historic periods. As discussed previously, a single historic-period archaeological site, designated 33-024248 (CA-RIV-11907), has been recorded within the one-mile radius. No other sites, features, artifacts, or built-environment features of prehistoric or historic age were encountered within the project area during the field survey.

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

Less than significant impacts to human remains are expected following the recommended mitigation measures.

CR-4: In the event that any human remains are discovered, the applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the Desert Hot Springs Police Department. The applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).



VI. 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.*

Per the project specific Draft Geotechnical Report prepared by LandMark Consultants, Inc, An active fault is one that has ruptured during Holocene time (roughly within the last 11,000 years). Review of the current Alquist-Priolo Earthquake Fault Zone maps (CGS, 2000a) indicates that the nearest mapped Earthquake Fault Zone is the San Andreas - San Bernardino (North) fault located approximately 1.5 miles north-east of the project site.

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

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



The Draft Geotechnical Report states that the project site does not lie within a State of California, Alquist-Priolo Earthquake Fault Zone. Surface fault rupture is considered to be unlikely at the project site because of the well-delineated fault lines through the Coachella Valley as shown on USGS and CDMG maps.

Less than significant impacts are expected to a known earthquake fault and no mitigation measures are required.

ii. Strong seismic ground shaking?

Per the project specific Draft Geotechnical Report, the primary seismic hazard at the project site is the potential for strong groundshaking during earthquakes along the San Andreas Fault.

Ground motions are dependent primarily on the earthquake magnitude and distance to the seismogenic (rupture) zone. Acceleration magnitudes also are dependent upon attenuation by rock and soil deposits, direction of rupture and type of fault; therefore, ground motions may vary considerably in the same general area.

Strong shaking from an earthquake can result in secondary actions including landslides, ground lurching, structural damage or destruction, and liquefaction (discussed subsequently in this Geotechnical discussion).

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

Following compliance with recommendations and Design Criteria of the Draft Geotechnical Study, relative to geotechnical testing and project design parameters, less than significant impacts are expected related to seismic ground shaking and no mitigation measures are required.

iii. Seismic-related ground failure, including liquefaction?

The General Plan Geotechnical Element indicates that liquefaction occurs when loose, unconsolidated, saturated, sandy soils are subjected to ground vibrations during a seismic event they may liquefy; this phenomenon is called liquefaction. This commonly occurs in areas where the ground water table is within 50 feet of the ground surface.



The Draft Geotechnical Report indicates that groundwater was not encountered in the borings during the time of exploration. According to the Mission Springs Water District (MSWD) readings of groundwater levels from nearby wells, groundwater is located between depths of approximately 308 to 392 feet below the ground surface in the vicinity of the project site.

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

The Draft Geotechnical Report indicates that liquefaction is unlikely to be a potential hazard at the site, due to groundwater located deeper than 50 feet as mentioned (the maximum depth that liquefaction is known to occur).

Through the development review process of the proposed structure, a site-by-site analysis is required to assess building design and check that proposed structures meet existing regulations or applicable codes.

Less than significant impacts to seismic related ground failure and liquefaction are expected and no mitigation measures are required.

iv. Landslides?

Per the project Specific Draft Geotechnical Report, the hazard of landsliding is unlikely due to the regional planar topography. No ancient landslides are shown on geologic maps of the region and no indications of landslides were observed during the site investigation.

No impacts relative to landslides are expected and no mitigation measures are required.

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

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



Relative to waterborne erosion, the Project Specific Preliminary Hydrology Study indicates that the proposed development area is covered by FIRM Flood Panel number 06065C0885G, effective August 28, 2008. The project site area is located in FEMA Flood Zones AO (1-foot/5- feet per second), and AO (3-feet/9-feet per second) , which are described as: "Special flood hazard areas subject to inundation by 1% annual chance flood; flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depth determined. For areas of alluvial fan flooding, Velocities also determined."

All proposed construction falls within the FEMA Flood Zone AO with 1-foot of shallow flooding, with only the northeast portion being located within FEMA Flood Zone AO with 3-feet of shallow flooding. All buildings are proposed to be constructed with pads elevated well over 1-foot above existing ground utilizing retaining and stem walls. The rest of the site is graded to convey the shallow flows across the site, and continue along the existing flow path.

The Hydrology Report further states that offsite run-on to the site is collected and conveyed across, or around the proposed project site, and continues along the existing flow direction, without increasing the runoff, or impacting any of the adjacent properties. The worst case scenario increase of the pre- and post-construction runoff would be adequately contained in the surface basins and sub-surface retention device. All onsite 100-year peak discharges would be conveyed into the retention system consisting of two retention basins with a sub-surface retention device consisting of a perforated corrugated metal pipe (CMP) with a diameter of 8 feet and a length of 110 feet, which will operate within the required capacity in the proposed storm drain and inlet system. Proposed construction would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth.

The Draft Geotechnical analysis measured soil infiltration rates of 102 to 232 inches per hour. The report recommends that an oil/water separator be installed at inlets to the storm-water retention basin to prevent sealing of the basin bottom with silt and oil residues. Also recommended is that additional testing be performed after the completion of rough grading operations, to verify the soil infiltration rate. See Hydrology section in this document for further discussion of storm water design details and recommendations.

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



The project will be conditioned to comply with the recommendations and Design Criteria in the project specific Geotechnical Analysis. Compliance with adopted procedures for grading and erosion will mitigate impacts associated with grading the site.

Less than significant impacts to substantial soil erosion are expected following implementation of these standard conditions:

- All future grading shall be performed in accordance with the grading ordinance of the City of Desert Hot Springs.
- The project contractor shall adhere to the recommendations contained within the project specific Geotechnical Report throughout grading and construction activities.
- A grading plan that outlines measures to contain any run off shall be prepared and submitted to the City for approval.
- The project proponent shall prepare and implement (throughout all construction activities) a Stormwater Pollution Prevention Plan (SWPPP) and a Fugitive Dust (PM10) Control Plan.

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?*

According to the project specific Preliminary Hydrology Report, the onsite area has an elevation drop of 7 feet, from the northwest to the southeast, at a 2.1% grade, and is entirely composed of Hydrologic Soil Type "A", described as 99.9-percent Myoma fine sands, 0 to 5 percent slopes, and map unit symbol MaB.

Soil Group is A is defined by RCFCDD as – "those soils having high infiltration rates. These soils consist mainly of deep, well drained to excessively drained sands or bravelly sands. These soils have a high rate of water transmission."

As discussed previously hazards associated with liquefaction, lateral spread and offsite landslides are not expected.

The GP EIR states that ground subsidence is the gradual settling or sinking of the ground surface with little or no horizontal movement. This phenomenon is usually associated with the extraction of oil, gas or ground water from below the surface, but it may also occur as a result of an earthquake. The 4-meter high scarp on the west side of Devers Hill indicates that uplift has occurred within the Desert Hot Springs Area. Devers Hill is approximately 2 miles west of the subject property.



The Draft Geotechnical Report states that the project is located in the Coachella Valley which has experienced up to 12 inches of regional subsidence between 1996 and 2005 (USGS, 2007). The risk of regional subsidence at the project site is considered moderate.

A USGS Scientific Investigations Report 2014-5075 "Land Subsidence, Groundwater Levels and geology in Coachella Valley, California, 1993-2010" indicates the following: While most of the Coachella Valley was relatively stable, land surfaces declined about nine inches to two feet in some areas of Palm Desert, Indian Wells, and La Quinta, between 1995 and 2010. An important recent exception was observed in La Quinta where groundwater levels have stabilized and risen, and the rate of land subsidence substantially decreased after groundwater replenishment systems were installed in 2009. Subsidence is considered a regional problem requiring regional mitigation not specific to the project vicinity.

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

Per the project specific Draft Geotechnical Report, in arid climatic regions, granular soils have a potential to collapse upon wetting. This collapse (hydroconsolidation) phenomenon is the result of the lubrication of soluble cements (carbonates) in the soil matrix causing the soil to densify from its loose configuration during deposition. Collapse potential tests performed on relatively undisturbed sample from the site indicated a slight risk of collapse upon saturation.

The project will be conditioned to comply with the recommendations and Design Criteria within the Project Specific Geotechnical Report.

Following implementation of Standard Conditions, less than significant impacts are expected related to unstable soil that could potentially result in, on, or offsite landslide, lateral spreading, subsidence, liquefaction or collapse 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?*

According to the General Plan Geotechnical Section, expansive soils are those, which include a significant amount of clay and are subject to swelling. Expansive soils can change in volume and can exert significant pressure on loads (such as buildings) that are placed on them. In the General Plan study area, expansive



soils are not generally considered a hazard because of the relatively minor amount of clay present in the soils. Where expansive soils may occur is in the Qf3 and Qf4 soils, which generally occur north of the Mission Creek Fault and in the vicinity of Whitewater Hill. The property is approximately 1.3 miles southwest of the Mission Creek Fault and 4.5 miles east of Whitewater Hill.

The project specific Draft Geotechnical Report indicates that the near surface soils at the project site consist of silty sands/sands which are non-expansive.

Less than significant impacts are expected to expansive soil, provided previously mentioned standard conditions are followed. No mitigation is required.

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

The project does not propose to utilize septic tanks or alternative disposal systems. Mission Springs Water District provides waste water conveyance and treatment in this area and will provide service to the project.

No impacts are expected related to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems and no mitigation measures are required.

VII. GREENHOUSE GASSES

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

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

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



contribute to efforts made around the globe to stabilize the global climate by capping GHG concentrations.

With the passage of the California Global Warming Solutions Act of 2006 (Assembly Bill 32) in California, environmental documents for projects pursuant to CEQA are required to analyze greenhouse gases and assess the potential significance and impacts of GHG emissions. Additionally, the City of Desert Hot Springs has adopted a Climate Action Plan (CAP) that includes policies that are applicable to new development for the reduction of GHGs. The construction related and operational emissions of Co2 equivalent are less than the SCAQMD interim threshold of 10,000 MT/year. The proposed cultivation facility will add a new land use, and as a result, an increase of greenhouse gas emissions is expected.

CalEEMod was utilized to estimate the long-term operational air pollutant emissions and the greenhouse gas emissions that would result from implementation of the proposed project. The annual GHG emissions associated with the operation of the proposed cultivation facility is 1,033.992 MTCO₂e per year as summarized in Table VII-1 (The California Emissions Estimator Model /CalEEMod Version 2013.2.2). Direct and indirect operational emissions associated with the project are compared with the SCAQMD threshold significance for all land use projects. The project is not expected to conflict with AB 32 or the City's Climate Action Plan and will comply with the City's reduction measures specified in the City's CAP.

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

	Emissions (metric tons per year)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ E
Area	1.5000e-3	--	--	1.5900e-003
Energy	543.9723	0.0214	6.3800e-003	5.46.3975
Mobile Sources	419.5887	0.0193	--	419.9937
Waste	9.4710	0.5597	--	21.2250
Water Usage	37.4183	0.3131	7.6800e-003	46.3748
Total CO₂E (All Sources)	1,033.992			

Source: CalEEMod™ output.

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

Less than significant impacts related to greenhouse emissions are expected and no mitigation measures are required.



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

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

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

Less than significant impacts related to conflicting with an applicable plan or regulation for the purpose of reducing greenhouse gases is expected and no mitigation measures are required.

VIII. 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?*

The Code of Federal Regulations (CFR Title 40, Part 261) defines hazardous materials on the basis of ignitability, reactivity, corrosivity, and/or toxicity properties. The State of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive and/or corrosive, which have the capacity of causing harm or a health hazard during normal exposure or an accidental release or mishap. Hazardous wastes require special handling and disposal to reduce their potential to damage public health and the environment. Individual circumstances, including the substance type and quantity used, and the nature of the activities and operations, affect the likely occurrence and severity of consequences from a hazardous situation. Existing federal, state and local laws regulate the use and management of hazardous or potentially hazardous materials.

Construction activities of the project are expected to involve the temporary management and use of potentially hazardous substances. Some of these materials would be transported to the site periodically by vehicle and would be stored on a short-term basis during construction. When handled properly by trained individuals and consistent with the manufacturer's instructions and industry standards, the handling of these materials pose a reduced risk.



Construction activities would not create a threat to the public due to the lack of development (e.g. residences) surrounding the property and the restrictions that prevent members of the public from entering the construction site.

To prevent a threat to the environment during construction, the proper management of potentially hazardous materials will be regulated in part by the Best Management Practices (BMPs) and measures of a required Storm Water Pollution Prevention Plan (SWPPP) for the project. The most pertinent measures pertain to Material Delivery and Storage; Material Use; and Spill Prevention and Control. These measures outline the required physical improvements and procedures for preventing impacts of hazardous materials to workers and the environment during construction. With such standard measures in place, less than significant impacts are anticipated during construction.

The proposed medical marijuana cultivation operations are not expected to involve the routine transport, use or disposal of hazardous materials in quantities or conditions that would pose a hazard to public health and safety or the environment. Consistent with the local ordinances regulating industrial districts and medical marijuana facilities, all proposed cultivation operations shall only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation operations and all marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility or building containing the cultivation of medical marijuana. The proposed cultivation activities would occur within greenhouse structures while supporting operations would take place in the corresponding head house facilities.

Routine building maintenance activities would involve the handling and application of common cleaning substances, building maintenance products, paints, solvents, and related items. Cultivation activities would involve plant treatment with organic fertilizers, insecticides, acaricides, fungicides, and other crop protection agents. The management of toxic cleaning compounds, sanitizing agents, solvents, and potentially flammable materials may also be involved within the proposed facilities. As a result, the application, storage and disposal of these substances would be subject to product-specific restrictions established by the manufacturer and by local, state and federal regulations. Each product used must be properly identified, held, stored, and disposed in a manner that protects against incidental release, explosive reactions, injury or contamination.

Less than significant impacts related to the routing transport, use, or disposal of hazardous materials are expected 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?*



As previously discussed, the project is not expected to handle any significant quantities of hazardous materials. Routine building maintenance activities would involve the handling and application of common cleaning substances, building maintenance products, paints, solvents, and related items. Cultivation activities would involve plant treatment with organic fertilizers, insecticides, acaricides, fungicides, and other crop protection agents. Toxic cleaning compounds, sanitizing agents, solvents, and potentially flammable materials may also be managed involved within the proposed facilities.

As a result, the project operator would be subject to product-specific restrictions established by the product manufacturer and by local, state, and federal regulations that would help protect against incidental release, explosive reactions, injury and contamination. The project operator would be required to provide the proper storage facilities and containers designed to protect and isolate the substances, therefore minimizing the threat to the public or the environment. Facility employees shall be trained on safety rules to prevent personal or public risk. Solid waste produced by the project will be stored in a designated staging area with enclosures.

To provide overall safety of the project, security will be on site to provide 24-hour security. Furthermore, the site will be properly fenced, gated and accessible only to employees and authorized individuals. In addition, 20+ cameras will monitor the site both inside and outside of the building, 24-hours a day.

Less than significant impacts related to the release of hazardous materials into the environment are expected 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?*

The Two Bunch Palms Elementary school is located 0.8 miles east of the proposed project site. The proposed project is not anticipated to result in the release of hazardous emissions, materials or waste. As previously discussed, the project site will function as medical marijuana cultivation facility and will be fenced and secured and only open to employees and authorized individuals. To further minimize any potential public exposure to accidental risks, proper construction and safety measures will be implemented and temporary impacts during construction will be further mitigated by standard operational procedures and protocols as well as Best Management Practices (BMPs).

Less than significant impacts related to hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school are 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?*

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

No impacts related to significant hazard to the public or the environment is expected 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?*

The project is not located near an existing airport or airport land use plan. The nearest airport facility to the project is the Palm Springs International Airport, located approximately 12 miles to the south.

No impacts are expected relative to a safety hazard for people residing or working in the project area are expected 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?*

The project is not located in the vicinity of a private airstrip.

No impacts are related to safety hazard for people residing or working in the project area are expected 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?*

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

The 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 3.5 miles from the project site. Battalion 10, Station 37 is the City's busiest fire station and is located at 65958 Pierson Blvd, approximately 2.3 miles from the project site. As previously discussed, the nature of the proposed project is not expected to introduce operations that would hinder the City's ability to implement its emergency response goals, policies or programs. The site plan configuration for each phase of the development includes fire truck drive aisles and turn-around spaces to ensure adequate emergency response on-site operations on-site. 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 City's design review process.

Less than significant impacts relative to impairing implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan are expected 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?*

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

Although the project site and its general surroundings are undeveloped with vegetation, these conditions have not been recognized to meet the criteria of high or very high fire hazard zones. The Riverside County RCIP indicates that project area is not within the Very High Severity Zone, and it is listed as being in



a Non-Very High Fire Hazard Severity Zone on the Cal Fire Map Local Responsibility Area (LRA) Map for Western Riverside County. The project site is not located near or adjacent to any wildfire areas. As previously discussed, the project will include the necessary fire protection facilities necessary to satisfy the local Fire Department requirements.

Less than significant impacts related to wildland fire is expected and no mitigation measures are required.

IX. HYDROLOGY AND WATER QUALITY

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

The Clean Water Act (CWA) of 1972 establishes regulations pertaining to the discharge of pollutants to waters of the U.S. from any point source. Subsequent amendments to the CWA in 1987 established a framework for regulating non-point source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). In the State of California, the State Water Resources Control Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs) administer the regulation, protection and administration of water quality pursuant to the NPDES. Their regulations also apply to storm water discharges from construction sites, municipal separate storm sewer systems (MS4s), and major industrial facilities. The Project and the City of Desert Hot Springs are located within the Colorado River Region (Region 7).

The proposed project will disturb an area greater than one acre and therefore must comply with the State's Construction General Permit (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ). Compliance with the Construction General Permit involves the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) designed to reduce the potential adverse impacts to surface water quality during the period of construction. The plan will identify areas of construction activity requiring best management practices (BMPs) and other necessary compliance measures in order to minimize the potential stormwater or runoff pollution.

The SWPPP will identify temporary sediment track-out prevention measures on the proposed construction entrance/exit points adjacent to a public roadway. Linear sediment barriers would be necessary along the construction area or project perimeters. Construction activities would also be subject to good site housekeeping practices, including street sweeping, waste management, material handling and storage.

During construction of each phase, the project will also be required to comply with Rule 403 and 403.1 South Coast Air Quality Management District's



(SCAQMD) regulations by implementing a Fugitive Dust (PM10) Control Plan. Although implementation of the Fugitive Dust Control Plan largely pertains to air quality, it also supports water quality protection through the requirement of soil stabilization measures to prevent sediment erosion and track out. The concurrent implementation of the SWPPP and Dust Control Plan plans will minimize the potential construction-related impacts to water quality at the site and its surroundings, therefore resulting in less than significant impacts.

Furthermore, the Project would provide two on-site stormwater retention basins and an underground retention device that during the life of the project will comply with the Stormwater Management and Discharge Controls stipulated in Chapter 13.08 of the Desert Hot Springs Municipal Code (Ordinance #1997-03). Compliance with the ordinance will help minimize the discharge and transport of pollutants associated with the new development through the control of volume and rate stormwater runoff, therefore preventing any potential violations or inconsistencies with the local requirements.

Less than significant impacts are expected to water quality standards or waste discharge requirements and 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)?*

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

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



Furthermore, the project is not expected to interfere with groundwater recharge conditions. The project includes two on-site retention basins with a sub-surface retention device, which has a capacity to collect and percolate a volume of 17,056 cubic feet of runoff and therefore facilitate groundwater recharge through infiltration. Infiltration opportunities are also provided in the form of pervious cover areas provided in the landscaping design.

Less than significant impacts to groundwater supplies or groundwater recharge are expected 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 offsite?*

The Project region characterized by coalescing alluvial fans formed by washes and creeks originating from the Little San Bernardino and San Gorgonio Mountains to the north and northwest. The Project is particularly located west of the Big Morongo Wash, a largely unconfined drainage course protected by the Morongo Wash Special Provisions Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). According to the Desert Hot Springs General Plan, the Big Morongo Wash drains a western portion of the Little San Bernardino Mountains. The mouth of Big Morongo Creek is located approximately one mile east of Highway 62 and approximately 4 miles northwest of the Project site, from which the wash flows in braided channels down the alluvial plain. The drainage crosses Indian Avenue in two locations and crosses the southwest corner of Mission Lakes Country Club before continuing south.

The Big Morongo Wash confluences with the Little Morongo Creek at approximately one-half mile south of Mission Lakes Boulevard and west of Little Morongo Road. Flows from existing and planned drainage facilities within the Desert Hot Springs Area Master Drainage Plan also contribute drainage at this general location. The largely unconfined flows continue in a southeast direction in a condition which has prompted FEMA to designate a large 100-year flood plain associated with these drainages. The flood plain in the Project vicinity has a FEMA Zone AO designation, deemed subject to inundation by the 100-year (1-percent-annual-chance) flood with average depths between one and three feet at varying velocities. The Zone AO plain encompasses undeveloped and developed properties.

Project implementation would result in permanent improvements, including impervious surfaces, on a previously undeveloped area. The firm of Fomotor Engineering prepared a project-specific Preliminary Hydrologic Study. As described in this report, the vacant project site presently has an elevation drop of approximately 7 feet from the northwest to the southeast, at a 2.1-percent grade. The site is composed of Hydrologic Soil Type "A", which is characterized for having a high infiltration rate (low runoff potential) when thoroughly wet. Type "A"



soils consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Based on the preliminary grading design, the hydrology study describes that onsite runoff from the driveway area on the north side of the site would collect in a swale and be directed to the east into a grated inlet that ties into a proposed 12-inch storm drain, which would outlet into the north retention basin. The remaining onsite runoff would be directed into the west and south-inverted driveways, and conveyed into a proposed grated inlet in the center of the south inverted driveway at the southeast corner of the project site. This inlet would tie into a proposed 18-inch storm drain outlet into the proposed sub-surface perforated retention storage pipe 110 feet long with a diameter of 8 feet. The total storage and infiltration capacity of the surface basins and sub-surface retention system is 17,056 cubic feet, which is sufficient to address the biggest increase of runoff volume between the pre- and post-construction condition caused by the 100-year, 24-hour duration storm event.

The offsite run-on discharge would be directed to the east on Two Bunch Palms Trail, and then to the south down the west side of Cabot Road with a proposed 8-inch curb along the east side of the project site. The proposed driveway entrance, to be located at the northwest corner of the site, will be built approximately at existing grade, collect a small portion of the offsite run-on discharge to the site, and convey the flow to the south in a concrete swale in the center of the inverted western driveway. The portion of offsite run-on discharge would then be directed to the east along the south side of the site via concrete swale in the center of the south driveway. This portion of offsite runoff would join a portion of the onsite runoff in the inverted south driveway. Flow beyond the capacity of the south driveway would sheet flow to the south to continue on the existing flow path, or continue to the east and enter Cabot Road, and be directed to the south along the existing flow path.

The hydrology report indicates that all proposed construction falls within the FEMA Flood Zone AO with 1-foot of shallow flooding, with only the northeast portion being located within FEMA Flood Zone AO with 3-feet of shallow flooding. All buildings are proposed to be constructed with pads elevated well over 1-foot above existing ground. The rest of the site is graded to convey the shallow across the site, and continue along the existing flow path. Offsite run-on to the site is collected and conveyed across, or around the proposed project site, and continues along the existing flow direction, without increasing the runoff, or impacting any of the adjacent properties. The worst case scenario increase of the pre- and post-construction runoff would be adequately contained in the surface and sub-surface retention system. All onsite 100-year peak discharges would be conveyed into the retention system, and operate within the required capacity in the proposed storm drain and inlet system. Proposed construction would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth.



As a result, the location and site design would not alter the course of a stream or wash (particularly the Big Morongo Wash), therefore preventing conditions which would result in erosion or siltation on- or off-site. The proposed drainage design and retention facilities would prevent any substantial erosion and siltation impacts on to the surroundings and will require review and approval by the City.

Less than significant impacts to the existing drainage pattern and erosion or siltation are expected and no mitigation measures are required.

- d) *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, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite?*

The proposed project would introduce impervious surfaces (asphalt, rooftops, etc.) to a presently undeveloped site. Such conversion would normally result in increases in the rate and amount of surface runoff due to reduced perviousness. The project includes an on-site drainage design and retention facilities with a volume capacity to accept and infiltrate the 100-year controlling storm event, design will be approved by City staff. As a result, the design would prevent any substantial increases in the rate or amount of surface runoff which would result in flooding on or off-site.

Less than significant impacts to the existing drainage pattern and associated runoff increase are expected 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?*

The undeveloped project property and immediate surroundings are not supported by any engineered stormwater drainage facilities. Based on the local natural topography, runoff from the undeveloped project property and surrounding vicinity would have the propensity to sheet-flow toward the southeast and into the Big Morongo Wash, a natural drainage course. As previously described, the project site plan and grading are designed to convey project runoff via surface and piped flows into proposed surface and sub-surface infiltration facilities situated on the east side of the property. The expected storage and infiltration capacity is sized to contain the 100-year controlling storm event. As a result of these improvements, the project will achieve post development runoff flow rates, volumes, velocities, and durations that do not exceed the pre-development condition, therefore preventing the contribution of runoff into the existing receiving drainages.



As described in the preliminary hydrology, all buildings are expected to be constructed with pads elevated well over 1-foot above existing ground. The rest of the site is graded to convey runoff across the site, and continue along the existing flow path. Offsite run-on to the site is collected and conveyed across, or around the proposed project site, and continues along the existing flow direction, without increasing the runoff, or impacting any of the adjacent properties. The worst case scenario increase of the pre- and post-construction runoff would be adequately contained in the surface and sub-surface retention system. All onsite 100-year peak discharges would be conveyed into the retention system, and operate within the required capacity in the proposed storm drain and inlet system. Proposed construction will be reviewed and approved by City & Flood Control agencies to ensure project would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth

Less than significant impacts to runoff water are expected and no mitigation measures are required.

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

As discussed, the Project is expected to provide an on-site retention system with an expected retention capacity to retain and infiltrate 17,056 cubic feet of runoff. This facility will allow the project to comply with the Stormwater Management and Discharge Controls stipulated in Chapter 13.08 of the Desert Hot Springs Municipal Code (Ordinance #1997-03). These improvements are subject to approval. Adhering to this ordinance will help minimize the discharge and transport of pollutants associated with the new development through the control of volume and rate stormwater runoff. Pursuant to this ordinance, the project is subject to various methods and standards for controlling stormwater volumes, rates, and pollutants, as deemed necessary for approval by the City's Director of Public Works.

The Project proponent will be required to develop and implement a Project-Specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The Project-Specific WQMP will establish a strategy of site design, source controls, treatment controls and on-going maintenance measures to address post-construction runoff quality and quantity. Such compliance and implementation protects the receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. As a standard process for new development projects, the Project-Specific WQMP must be submitted and approved prior to the first discretionary project approval or permit. The Project-Specific WQMP also outlines the required maintenance practices necessary to ensure that the water quality facilities remain effective during the life of the project. These include a maintenance covenant, inspection and



maintenance program, with regular monitoring for all proposed measures and devices.

Less than significant impacts relative to the substantial degradation of water quality are expected 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 of Flood Insurance Rate Map or other flood hazard delineation map?*

The property is mapped within the 100-year flood hazard area (Zone AO) by the Federal Emergency Management Agency (FEMA), but the proposal is not a housing project. The project includes one dwelling unit to accommodate staff.

No impacts relative to placing housing in a 100-year flood hazard area is expected and no mitigation measures are required.

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

The Federal Emergency Management Agency (FEMA) evaluates potential flood hazards for the City. The FEMA Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying those potential hazards and determining the need for and availability of federal flood insurance. According to FIRM panel 06065C0885G, effective August 28, 2008, the entire project and its immediate surroundings are located within Zone AO.

This zone designation applies to areas subject to inundation by the 1-percent-annual-chance shallow flooding (usually sheet flow) where average depths are between one and three feet. The average flood depths are derived from detailed hydraulic analyses. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Based on the preliminary hydrology report, offsite run-on to the site will be collected and conveyed across, or around the proposed project site, and continues along the existing flow direction, without increasing the runoff, or impacting any of the adjacent properties. The worst case scenario increase of the pre- and post-construction runoff would be adequately contained in the surface basins and sub-surface retention system. All onsite 100-year peak discharges would be conveyed into the retention system, and operate within the required capacity in the proposed storm drain and inlet system. Proposed construction would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth. Therefore, the project is not anticipated to place structures or physical improvements that would impede flood flows.



Less than significant impacts relative to impeding or redirecting flood flows from a 100 year flood hazard area are expected and no mitigation measures are 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?*

The project is not located near an existing levee or dam; therefore, no impacts are expected pertaining to this topic. The project is located within a 100-year flood zone based on FEMA FIRM panel 06065C0885G, effective August 28, 2008. The project is expected to provide the appropriate site improvements to ensure that the proposed structures and site operations are not exposed to a significant risk of flooding. As previously discussed, the project's Hydrology Report preparer has indicated that the proposed site plan will include flood control improvements to meet the FEMA requirements for managing the 100-year storm event without increasing the runoff, or impacting any of the adjacent properties.

Less than significant impacts are expected relative to substantial erosion or siltation on or offsite and no mitigation measures are required.

- j) *Would the project be susceptible to inundation by seiche, tsunami, or mudflow?*

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

Less than significant impacts are expected from inundation and no mitigation measures are required.

X. LAND USE AND PLANNING

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



The project site sits on approximately 2.13 acres of vacant land in a Light Industrial zoned area, as designated by the City of Desert Hot Springs General Plan and Zoning. The vacant project property is situated within a partially developed industrial district in the City of Desert Hot Springs that occurs generally south of Two Bunch Palms Trail and east of Little Morongo Road. This area of the City is designated to support business parks and the development of industrial uses operating in enclosed buildings. The district is largely segregated from the City's residential and commercial uses, a condition which is intended to reduce land use incompatibility. Existing industrial establishments in the vicinity and mostly west of the project site include automotive repair shops, light manufacturing facilities and religious services. There are no established community patterns in the project vicinity that would be divided by the proposed project.

No impacts relative to the division of an established community are expected 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?*

The applicant is processing a Conditional Use Permit to develop 2.13 acres on a single parcel into a medical marijuana cultivation facility. The project is zoned Light Industrial, this zone is intended to provide any and all industrial uses operating entirely in enclosed buildings, and those requiring limited and screenable outdoor storage space. The project site is largely segregated from the City's intense residential and commercial uses and is consistent with the City's General Plan land use designation. Upon the City's determination that the findings for a CUP have been met, the project's physical characteristics and internal operations will not conflict with the City's land use, zoning or other regulatory policies. Site design features will be reviewed and subject to approval by the City relative to compliance with the City's General Plan and Zoning.

No impacts are expected relative to any applicable land use plan, policy, or regulation of any 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?*

The proposed project is located within the Coachella Valley Multi Species Habitat Conservation Plan (CVMSHCP) mitigation fee area. This is a regional plan which outlines policies for conservation of habitats and natural communities throughout the Coachella Valley. Per the project specific Biological Assessment, the project site is not within or adjacent to a Conservation Area under the CVMSHCP.



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

No impacts are expected to conflict with any applicable habitat conservation plan or natural community conservation plan and no mitigation measures are required.

XI. 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?*

In accordance with the Surface Mining and Reclamation Act of 1975 (SMARA), mineral land classification maps and reports have been developed to assist in the protection and development of mineral resources. In these maps, mineral deposits are classified according to the following four designations:

Mineral Resource Zone 1 (MRZ-1): Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

Mineral Resource Zone 2 (MRZ-2): Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.

Mineral Resource Zone 3 (MRZ-3): Areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgraded it to MRZ-1.

Mineral Resource Zone 4 (MRZ-4): Areas where available information is inadequate for assignment to any other mineral resource zone.

Local agencies, including the City of Desert Hot Springs, incorporate the existing information on mineral classifications for land use plan development and decision-making. In the City of Desert Hot Springs General Plan, mineral resources are addressed in the Energy and Mineral Resources Element. According to the Energy and Mineral Resources Element of the City of Desert Hot Springs General Plan and the SMARA map of Desert Hot Springs, the



Project and its surroundings are located within Mineral Resource Zone 3 (MRZ-3), which as described above, applies to areas where the significance of mineral deposits cannot be evaluated from the available data. There are no specific known mineral resource deposits or facilities on or near the project.

The proposed Project is located west of the Big Morongo Wash. While these drainage courses have conditions where sand and gravel deposits may occur, they are subject to conservation under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Big Morongo Wash is located within the Morongo Wash Special Provisions Area. The proposed project would therefore not be permitted to disturb these conservation areas and any mineral resources found therein.

Considering the nature, magnitude and context of the proposed project, considerable extraction and/or loss of known mineral resources in a manner that would affect resources important to the Coachella Valley region or residents of California are not expected to result from project implementation. The project would not involve facilities to extract mineral deposits. Construction of the project would rely on existing local or regional aggregate resources from existing permitted facilities.

Less than significant impacts in the loss of availability of a known mineral resources are expected 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?*

Mineral resources that are known to exist in the Coachella Valley region primarily consist of sand and gravel (aggregate) typically deposited along and near local drainages. Aggregate material is deemed a necessary to the local building industry as a component of asphalt, concrete, road base, stucco and plaster. Local or regional construction industries tend to be dependent on readily available aggregate deposits within reasonable distance to the market region.

The project site is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, City of Desert Hot Springs General Plan or the resource maps prepared pursuant to SMARA. The proposed Project is located west of the Big Morongo Wash, which will not be disturbed by the project. These drainages are located within conservation areas of the CVMSHCP.

Less than significant impacts related to the loss of availability of a locally important mineral resource recovery site are expected and no mitigation measures are required.



XII. 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?*

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

The vacant project property is situated within a partially developed industrial district in the City of Desert Hot Springs that occurs generally south of Two Bunch Palms Trail and east of Little Morongo Road. This area of the City is designated to support business parks and the development of industrial uses operating in enclosed buildings. The district is separated from the City's residential and commercial uses, a condition which reduces land use incompatibility pertaining to noise settings. Existing industrial establishments near the project site include automotive repair shops, light manufacturing facilities and religious services. Some structures are unoccupied. City of Desert Hot Springs has the authority to establish land use noise standards and corresponding restrictions under the City's Noise Ordinance. A range of noise standards apply to different receiving land uses, primarily based on the assumed susceptibility. In Table V-2 of the Noise Element, the project corresponds to the category of "Industrial" based on land use designation. For this land use, the normally acceptable noise exposure ranges from 50 to 75 CNEL. The generally unacceptable noise levels range from 70 and 80 CNEL, while construction and development is discouraged where noise levels exceed 75 CNEL.

The construction activities of the project are expected to generate a short-term noise increases compared to the existing levels. Two types of noise impacts are anticipated during future construction activities. First, the transport of workers and equipment to the site will incrementally increase noise levels along the roadways (Two Bunch Palms Drive and Cabot Road) leading to and from the site. Second, the noise generated by the actual on-site construction activities. The project will be required to abide by Municipal Code regulations for construction hours. Construction activities are only permitted between 7:00 a.m. and 5:00 p.m. Monday through Saturday. During daylight savings time, construction is permitted between 6:00 a.m. and 6:00 p.m. Monday through Saturday. Construction is not permitted on Sundays. The following common



industry standard practices will help maintain impacts at less than significant levels: All construction equipment, fixed or mobile, should be equipped with properly operating and maintained mufflers and the engines should be equipped with shrouds. Approved haul routes shall be used to minimize exposure of sensitive receptors to potential adverse levels from hauling operations. All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.

As described previously, the Project will involve operations contained proposed buildings. As mandated by the local zoning ordinance, all cultivation operations of the project shall be conducted in the interior of enclosed structures, facilities, and buildings. All cultivation operations, including materials and waste management, will occur indoors and within the fenced limits. While the project would result in an increase in noise levels compared to the existing undeveloped condition, the nature and intensity of operations that would occur in the proposed structures are not expected to result in the generation of noise levels that would surpass the community noise and land use compatibility standards. The project is expected to result in an increase in traffic-related noise levels, primarily on Two Bunch Palms Drive and Cabot Road, but this increase is not expected to be significant.

Less than significant impacts related to excess noise levels are expected 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?*

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

The project is located in a partially developed industrial district. The nearest residential development is located approximately one-third of a mile to the west and to the east. Current vehicle traffic on Two Bunch Palms Trail and Cabot



Road represents an existing source of groundborne vibration due to circulation of larger vehicles and trucks. Construction of the project is expected to involve the temporary use of vehicles and equipment that would result in short-term groundborne vibration increases within the permitted construction hours established by the City. During the life of the project, all routine project operations will occur within the proposed structures as mandated by the local ordinance. The routine operation of vehicles accessing the project would cause an incremental increase in groundborne vibration, but not in levels that would be deemed inconsistent with the existing industrial setting or excessive in nature, such that would impact local residential uses.

Less than significant impacts related to excessive groundborne vibration noise levels is expected and no mitigation measures are required.

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

The Project property is a vacant parcel of land. Therefore, it does not represent an existing source of ambient noise. The Project surroundings primarily consist of vacant land and developed properties that include industrial facilities and automotive repair shops. The project is not located within close proximity to existing residential uses. An existing source of ambient noise is attributed to traffic on Two Bunch Palms Trail to the north and Cabot Road to the east. Noise resulting from the project operations is anticipated to be largely contained in the proposed structures, while noise resulting from traffic noise caused by the project is not expected to substantially increase the current ambient levels.

Less than Significant impacts related to permanent increase in ambient noise levels are expected 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?*

As discussed previously, proposed cultivation site will produce a temporary increase in ambient noise levels during construction. During project site preparation, grading and construction, the contractors will be expected to utilize properly maintained construction equipment consistent with the manufacturer's standards. The location of the temporary construction staging area would not be located adjacent to any sensitive receptor sites and the construction activities would take place within the designated hours established by the City of Desert Hot Springs.

Less than Significant impacts related to temporary or periodic ambient noise levels are expected 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?*

The project is located approximately 7 miles north of the Palm Springs International Airport and is not located within its airport land use plan.

No impacts are expected to result related to projects located within an airport land use plan and no 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?*

The project is not located within the vicinity of a private airstrip.

No impacts are expected to result the project located in the vicinity of a private airstrip and no mitigation measures are required.

XII. 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)?*

The proposed project consists of the development of a medical marijuana cultivation facility in a Light Industrial (I-L) zone. While the project may require relocation to the area for employment, the number of employees would be relatively minor considering the facility's purpose and size. Improvements to roads, water and sewer services would be minor and will not induce population growth.

No impacts to substantial population growth either directly or indirectly are expected and no mitigation measures are required.

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

The entire property is currently vacant land designated by the City General Plan and zoning for light industrial activity and would not displace any existing housing or require replacement housing. A single live-in apartment within the building would be utilized by security staff.

No impacts related to the displacement of existing housing are expected and no mitigation measures are required.



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

As mentioned above, the site has a light industrial land use and zoning designation and is currently undeveloped, vacant desert land. The project does not propose any residential uses that would necessitate the construction of replacement housing.

No impacts related to the construction of replacement housing is expected and no mitigation measures are required.

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 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?*

The City of Desert Hot Springs contracts with Riverside County Fire Department for a full range of fire protection services provided 24 hours a day 7 days a week. The RCFD is staffed with a combination of County and State of California Department of Forestry & Fire Protection employees. They operate 96 fire stations that serve 1,360,000 residents over 6,970 miles of Riverside County. The City of Desert Hot Springs has two RCFD fire stations, Battalion 10, Station 36; located at 11535 Karen Avenue is approximately 3.5 miles from the project site. Battalion 10, Station 37 is the City's busiest fire station and is located at 65958 Pierson Blvd, approximately 2.3 miles from the proposed project. Both stations are staffed by 8.2 full time personal and each shift has 3 professionals consisting of a Fire Captain/and or engineer and one or two Firefighter II / licensed paramedic on duty at all times. Each station is also equipped with a Type I, 1500 GPM fire engine.

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



The proposed cultivation facility includes two attached primary buildings (numbered 1 and 2) with two stories, arranged in an inverted L-shape and adjoined by four attached greenhouses, along with the development of private driveways, parking spaces, landscaping, full security fencing, site grading and retention basins. The total site would contain 33,615 square feet of grow rooms and 23,647 square feet of greenhouse.

The project would be required to implement all applicable and current California Fire Code Standards throughout the project. This would include installation of fire hydrants and sprinkler systems inside the buildings. Presently, there is an existing fire hydrant at the property's north corner of Two Bunch Palms and Cabot Road. Furthermore, the project will be reviewed by City and Fire officials to ensure the continuance of fire service and safety as a result of project implementation. The project will also be required to comply with the City's Development Impact Fees (DIF) to help with the cost of funding public facilities and services, including fire.

Less than significant impacts related to fire services are expected and no mitigation measures are required.

ii. Police protection?

Police services are provided to the project area by the Desert Hot Springs Police Department. The police department operates out of a single location and is located at 65-950 Pierson Blvd, approximately 2.6 miles from the project site. Per communication with City of DHS police department, the DHSPD has 27 sworn officers and 6 support staff, totaling 33 positions. Based on the 2013 City population of 27,903 persons, the resulting officer to resident ratio is 0.96 per 1,000 population.

The proposed cultivation facility includes two attached primary buildings (numbered 1 and 2) with two stories, arranged in an inverted L-shape and adjoined by four attached greenhouses, along with the development of private driveways, parking spaces, landscaping, full security fencing, site grading and retention basins. The total site would contain 35,051 square feet of grow rooms and 23,544 square feet of greenhouse.

Security measures have been thoroughly incorporated into the project. The site is entirely enclosed with perimeter fencing. A gated entry/exit will control vehicular access to and from the property. A security guard would be on site 24-hours a day. Security cameras would be mounted inside and outside of the entire building. A more detailed, comprehensive security plan is required by the City during the regulatory permit phase. This will include specific locations and areas of coverage by security cameras; location of audible interior and exterior alarms; location and design of exterior lighting; name and contact information of Security Company monitoring the site and any additional information required by the City.



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

Less than significant impacts related to police services are expected and no mitigation measures are required.

iii. Schools?

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

No impacts are expected relative to school services and no mitigation measures are required.

iv. Parks?

As discussed below in Section XV(a) and XV(b), the proposed project would not create additional demand for public park facilities, nor result in the need to modify existing or construct new park facilities.

No impacts are expected to parks and no mitigation measures are required.

v. Other public facilities?

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

No impacts to other public facilities are expected and no mitigation measures are required.

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?*



As previously discussed the project will develop a medical marijuana cultivation facility in a Light Industrial zoned area. Surrounding land uses are vacant desert land and light industrial uses. No residential land uses are proposed and employment generated by the project would not cause a substantial increase to the existing neighborhoods or regional parks.

No impacts related to the increase use of existing neighborhood and regional parks or other recreational facilities is expected 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?*

The construction of the proposed cultivation facility within a light industrial zoned area will not involve any recreational facilities. No construction expansion of other recreational facilities is required for project implementation.

No impacts relative to construction or expansion of recreational facilities is expected and no mitigation measures are required.

XVI. TRANSPORTATION/TRAFFIC

- a) *Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

The project proposes to construct a facility for the indoor cultivation of medical marijuana with supporting infrastructure improvements on approximately 2.13 acres in accordance with City Ordinance 552 and 553.

The property is zoned Light Industrial, this zone is intended to provide any and all industrial uses operating entirely in enclosed buildings, and those requiring limited and screen-able outdoor storage space. The project site is largely segregated from the City's intense residential and commercial uses. This is consistent with the City's General Plan land use designation.

The project site will have three points of access. Two entrances will be located at the property's frontage on Two Bunch Palms Trail, just west of Cabot Road. This road is currently paved with no curb and a gravel shoulder. The third access point will be located at the southeast corner of the property on Cabot Road. This road is also currently paved with no curb and a gravel shoulder.



The site will be entirely enclosed within perimeter security fencing. Gated entry/exit drives will control vehicular access onto and off the property.

Circulation and parking are consistent with City parking standards as determined by City Staff. In total, the project provides 42 parking spaces.

The site has been designed with two gated entries off Two Bunch Palms Trail and an additional gate to a private access drive around the project perimeter within the security fence and a gated access point onto Cabot Road.

Loading zones are adjacent to the western greenhouse. A hard pavement surface is proposed for the main parking area in front of the structure as well as the interior drive that exits onto Cabot Road.

The project will be developed in one Phase. Operations would be similar to that of a standard wholesale nursery. The project will operate with approximately 19 full time employees and within the allowable hours designated by the City. All staff will be subject to thorough background checks as per City regulations.

Hours will be consistent with Ordinance 552. Medical marijuana facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. The cultivation of marijuana requires staff to be present on premises 24 hours per day. Only authorized staff and delivery personnel will be allowed to enter the premises. An onsite two-bedroom apartment without kitchen is included in the structure to accommodate a 24 hour security employee.

The Average Daily Trips (ADT) refers to the total number of vehicles that travel a defined segment of roadway over a twenty-four hour period. The standard most often used to evaluate the traffic operating conditions of the transportation system is called level of service (LOS). LOS is a qualitative assessment of the quantitative effect of factors such as: speed and travel time, traffic volume, geometric features, traffic interruptions, delays, and freedom to maneuver, driver comfort and convenience, and vehicle operating costs. LOS allows operating conditions to be categorized as LOS "A" through LOS "F", where LOS "A" represents the most favorable free flow condition and LOS "F" the least favorable forced flow driving condition. The LOS categories are based on relative levels of driver acceptability of various delays. A given lane or roadway may provide a wide range of service levels, depending upon traffic volumes and speeds.

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



defined Level of Service "D" as the minimum adequate intersection service level during peak hours for planning and design purposes.

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

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

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

Cabot Road is not a General Plan designated roadway so assumed to be a Local Collector at General Plan Buildout. Local Collector streets include a 60 ft right of way, with two lanes undivided with parking.

The proposed cultivation facility will function as a small-scale, specialized facility for operations that are representative of a nursery with a wholesale distribution component. Prior to approval, the proposed site circulation, including offsite street design standards and the projects fair share portion of offsite street improvements will be reviewed by the City as part of the site and conditional use analysis.

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

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

The project will primarily serve Medical Marijuana Distribution Facilities and will not be open to the general public. As a result, the potential trip generation



resulting from this cultivation facility is expected to be similar compared to typical Light-industrial establishments. Traffic resulting from the project is not expected to substantially increase the traffic load in the project vicinity and result in congestion on the existing street system.

Following the implementation of Standard Conditions, less than significant impacts are expected relative to increase in traffic and no mitigation is required.

- b) *Would the project exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?*

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

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

The project is located approximately 3.5 miles north of the westbound on-ramp to the Interstate 10 Freeway (I-10). Interstate 10 is identified as a CMP corridor. Traffic resulting from the small-scale operations at the proposed cultivation facility is not anticipated to individual or cumulatively contribute to an exceedance of a level of service standard established in the CMP.



Less than significant impacts are expected relative to the level of service standards established by the County Congestion Management Agency for designated roads or highways and no mitigation measures are required.

- 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?*

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

No impacts are expected to air traffic patterns and no mitigation measures are required.

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

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

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

Less than significant impacts are expected relative to traffic hazards and no mitigation measures are required.

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

The proposed project will provide adequate access to emergency response vehicles, as required by the City of Desert Hot Springs and in accordance with the fire department review and requirements. Site plan review would include in-depth analysis of emergency access to the site to ensure proper access facilities. The proposed site plan provides two vehicular access points on Two Bunch Palms Trail and one vehicular access point on Cabot Road.



The vehicular driveways will be reviewed and approved by RCFD. These driveways provide access to the site parking lot.

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

Less than significant impacts to emergency access are expected and no mitigation is required.

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

SunLine Transit Agency provides bus services to the City of Desert Hot Springs through Lines 14 and 15. Line 14 is the closest route to the project. One Line 14 bus stop is in the vicinity of the project and at approximately 1.25 miles in driving/biking distance to the east.

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

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

Less than significant impacts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, of alternative transportation are expected and no mitigation is required.

XVII. UTILITIES AND SERVICE SYSTEMS

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



The project falls under the Mission Springs Water District's (MSWD) sewer service area. Six (6) inch water & sewer lines are currently found on Two Bunch Palms Trail along the project frontage. The City of Desert Hot Springs operates two wastewater treatment plants, Horton Wastewater Treatment Plant and Desert Crest Wastewater Plant with a combined capacity of 2.7 MGD. The project is proposing a medical marijuana indoor cultivation facility consisting of two attached primary buildings (numbered 1 and 2) with two stories, arranged in an inverted L-shape and adjoined by four attached greenhouses. Wastewater is expected to be minimal and accommodated by the MSWD sewer system and would not exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). City and other local and governmental agency review will ensure compliance with all applicable and current wastewater treatment requirements.

Less than significant impacts are expected relative to wastewater treatment and 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?*

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

Less than significant impacts are expected relative to construction of new water or wastewater 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?*

The flood plain in the Project vicinity has a FEMA Zone AO designation, deemed subject to inundation by the 100-year (1-percent-annual-chance) flood. The Zone AO plain encompasses undeveloped and developed properties.

Project implementation would result in permanent improvements, including impervious surfaces, on a previously undeveloped area. The site plan and grading design would incorporate stormwater management through surface conveyances into proposed retention basins. This drainage and retention design



would prevent any substantial erosion and siltation impacts on to the surroundings. The project will be required to comply with all construction requirements and best management practices through the life of the project. Standard engineering procedures currently in place require that all final grading and hydrology plans be submitted to the City of Desert Hot Springs for review and approval prior to the issuance of a grading permit.

Less than significant impacts to storm water facilities is expected 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?*

Groundwater is the primary source of domestic water supply in the Coachella Valley; the Mission Springs Water District (MSWD) provides potable water to the City by extracting groundwater from the Mission Creek subbasin. The existing MSWD distribution system consist of three independent water distribution systems: 1) Desert Hot Springs and surrounding area system – encompasses the City of DHS, a portion of the City of Palm Springs and surrounding unincorporated area of Riverside County, 2) Palm Springs Crest System, and 3) West Palm Springs Village System.

Per the MSWD 2010 Urban Water Management Plan, the MSWD system, inclusive of all three distribution systems, has approximately 1.26 million linear feet of pipeline. The District's service area currently includes 10 wells that supply the Desert Hot Springs System and two wells each for the Palm Springs Crest System and West Palm Springs Village System. The MSWD 2010 UWMP states the Mission Springs subbasin is currently in overdraft condition. The Mission Creek Settlement Agreement (Dec.2004) and the 2003 Mission Creek Groundwater Replenishment Agreement between CVWD and DWA specify that the available imported water supplies from the State Water Project (SWP) will be allocated between the Mission Creek and Whitewater River subbasins in proportion to the amount of water produced or diverted from each subbasin during the preceding year. As required by the policies of the General Plan, the City will continue to cooperate with MSWD and other agencies/jurisdictions in implementing a groundwater replenishment program capable of ensuring the viability of the Mission Creek subbasin.

The proposed development will be expected to follow water conservation guidelines to mitigate impacts to public water supplies. Examples of these water conservation methods include water conserving plumbing fixtures, drought tolerant landscaping, and drip irrigation systems. Domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process.



Less than significant impacts to water supply is expected 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?*

Wastewater generated from the proposed project will be conveyed to MSWD for treatment. MSWD has 45 miles of sewer pipeline, powered by pump stations and serviced by 2.3 million gallons per day (MGD) capacity wastewater treatment plant. Service demand generated by the proposed project is expected to be incremental and not anticipated to significantly impact demand for wastewater treatment. Wastewater improvements necessary to provide adequate service to this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process.

Less than significant impacts to wastewater treatment capacity is expected 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?*

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

Less than significant impacts are expected to solid waste disposal services and no mitigation is required.

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

The City of Desert Hot Springs contracts with Desert Valley Disposal to serve the solid waste disposal needs of the city, including the project. The project will comply with all applicable solid waste statutes and guidelines.

No impacts are expected to solid waste statutes and regulations and no mitigation measures are required.



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?*

Based upon the information and mitigation measures provided within this Initial Study, approval and implementation of the project is not expected to substantially degrade the quality of the environment including biological, cultural or historical resources.

Less than significant impacts are expected.

- 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)?*

The vacant project property is located in a partially developed setting designated for light industrial uses. Based upon the information and mitigation measures provided within this Initial Study, approval and implementation of the proposed cultivation facility is not expected to result in impacts that when considered in relation to other past, current or probable future projects, would be cumulatively considerable.

Less than significant impacts are expected.

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

The City of Desert Hot Springs established regulations pertaining to medical marijuana facilities to ensure that qualified patients and their caregivers are afforded safe and convenient access to medical marijuana, while ensuring that the facilities do not conflict with the City's General Plan, its surrounding uses, or become detrimental to the public health, safety and welfare. The proposed project has been designed to comply with these established regulations. The City's detailed review process of improvement plans and facility operations will ensure that the regulations are fully implemented. Based upon the information and findings provided in this Initial Study, the proposed project is not expected result in impacts related to environmental effects, which will cause substantial adverse effects on human beings.



Mitigation and standard conditions incorporated into the project will reduce impacts to less than significant.



City of Desert Hot Springs

Date: October 2015

Project Title: Application for Conditional Use Permit 05-15, DA 03-15

Project Name: Bunch Palms Trail, LLC Cultivation Facility

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