

Draft Initial Study and Mitigated Negative Declaration

**Application for Conditional Use Permit
CHM Desert Cultivation Facility
Conditional Use Permit 08-18**

Prepared for:

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



Prepared by:



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

Desert Hot Springs Planning Department
Daniel Porras
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CHAPTER ONE – INTRODUCTION

1.1 Purpose and Authority

The City of Desert Hot Springs (City) is the Lead Agency under the California Environmental Quality Act (CEQA), and is responsible for carrying out, authorizing, or approving actions that have the potential to adversely affect the environment. The Project will require certain discretionary approvals by the City and other governmental agencies. Therefore, the Project is subject to environmental review requirements under CEQA.

CEQA requires that the public agency analyze and acknowledge the environmental consequences of their discretionary actions and consider alternatives and mitigation measures that could avoid or reduce significant adverse impacts resulting from the proposed project.

The project proposes the construction of a three (3) building industrial campus and associated improvements geared for the indoor cultivation and processing of marijuana on a vacant 9.27 gross acre site. A Conditional Use Permit (CUP) application will be filed as part of the Project to provide a detailed development proposal for the marijuana cultivation and processing campus in compliance with Section 5.50 and 17.180 of the Desert Hot Springs Municipal Code.

This Initial Study and Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resource Code Section 21000 et seq and adopted City Ordinance No. 552 and 553 pertaining to the regulation of 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 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 marijuana cultivation and processing 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 the development of the CHM Desert Cultivation facility.

1.4 Public Review Process

In accordance with CEQA, a good faith effort has been made during the preparation of this DMND to contact affected agencies, organizations and persons who may have an interest in this Project.

The MND has been sent to the Riverside County Clerk, responsible agencies, and advertised in The Desert Star Weekly.

CHAPTER TWO – PROJECT DESCRIPTION

2.1 Project Vicinity

The Project is located on 9.27 gross acres of undisturbed desert land located to the east of Little Morongo Road and north of the unimproved alignment of 13th Avenue in the City of Desert Hot Springs, California.

Total Project Area: 9.27 gross acres

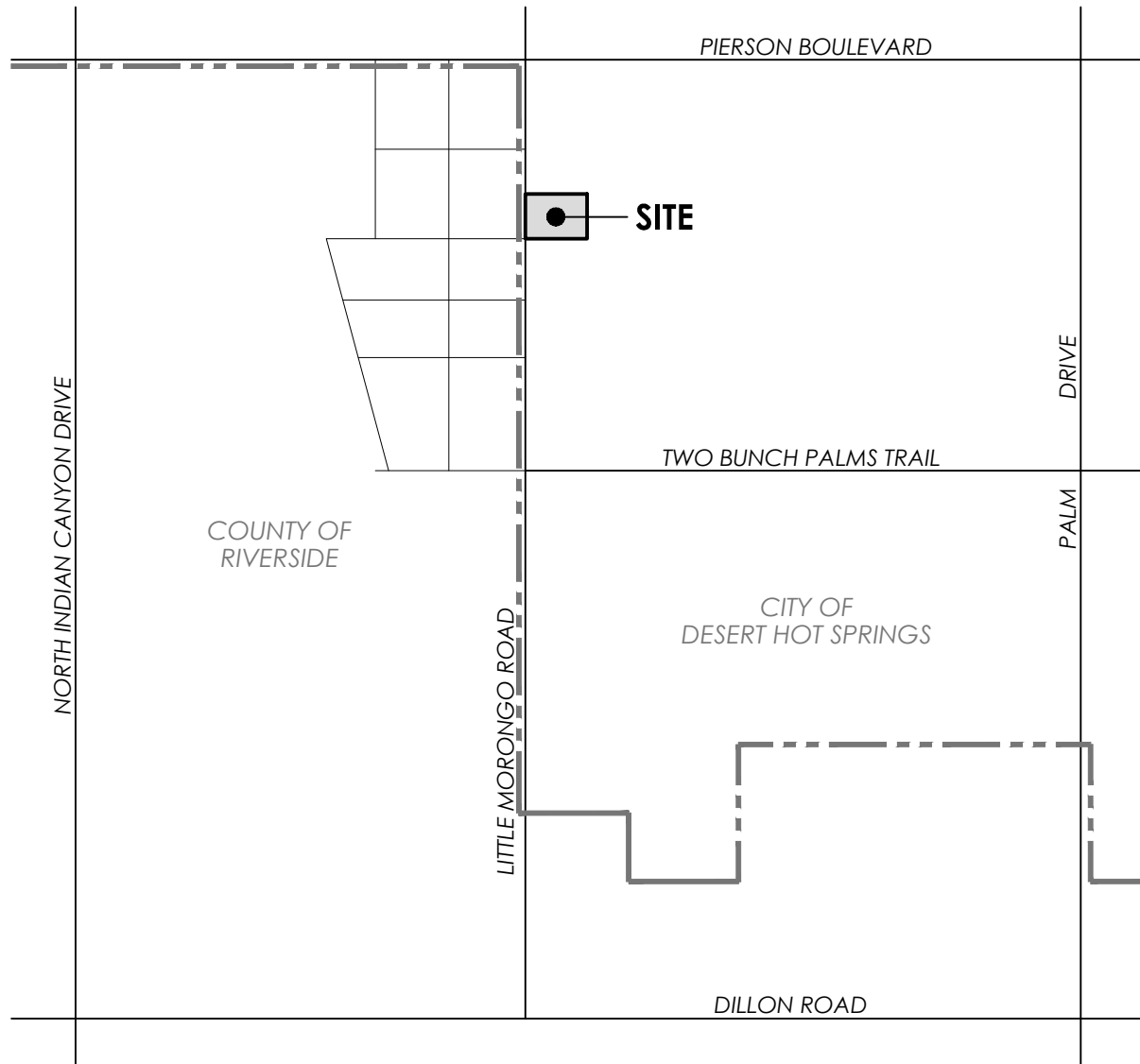
Assessor's Parcel Number: 663-260-002

Section, Township & Range Description or reference:

Southwest ¼ of the southwest ¼ of the northwest ¼ of Section 36, Township 2 South, Range 4 East, San Bernardino Base Line & Meridian.

The 9.27 gross-acre site consists of vacant desert land and is located east of the projected centerline of Little Morongo Road and north of the unimproved alignment of 13th Avenue in the City of Desert Hot Springs. The Project site contains slight to moderate amounts of typical desert vegetation (scrub brush and low-lying plants). Topographically, the site drains to the south/southeast. The site has no street improvements and has street access via Little Morongo Road, a two-lane paved road. East of the property is the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) Morongo Wash Conservation Area, Riverside County Flood Control Interim Storm Channel and the entire site is within Federal Emergency Management Agency (FEMA) flood zone AO, and subject to two distinguished flooding conditions, based in part on the proximity to the Big Morongo Wash.

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



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Vicinity Map

CHM Desert LLC
 Initial Study

1



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Aerial Photograph

CHM Desert LLC
Initial Study

2

2.2 Project Description

The Project proposes the construction of a three (3) building industrial campus and associated improvements for the indoor cultivation and processing of marijuana on a 9.27 gross-acre site in accordance to Desert Hot Springs Municipal Code 5.50 and 17.180. The Project site will be secured with wrought iron or tubular steel fencing and at buildout will have an approximate total building area of 169,000 sf.

The proposed buildings will consist of pre-engineered, steel framed, greenhouse structures fitted with translucent polycarbonate roof panels to allow ample light for cultivation purposes. The overall architectural character will be that of an attractive, well-maintained industrial building. Concrete storm channel lining is proposed along the north easterly perimeter of the Project site for storm water management purposes.

Landscaping has been designed to balance aesthetic, water use and security objectives. Project frontage landscaping will consist of trees, along with low level plantings and wrought iron or tubular steel fencing to visually enhance, protect and blend the cultivation and processing campus into its surroundings while also promoting visibility by law enforcement vehicles from the street. The balance of the Project site will be landscaped with drought-tolerant ground cover plants as approved by the City of Desert Hot Springs. Landscaping will also include large drought-tolerant flowering trees and shrubs typically found in the region. Exterior irrigation will use drip or micro-spray applicators to avoid overwatering and promote water efficiency.

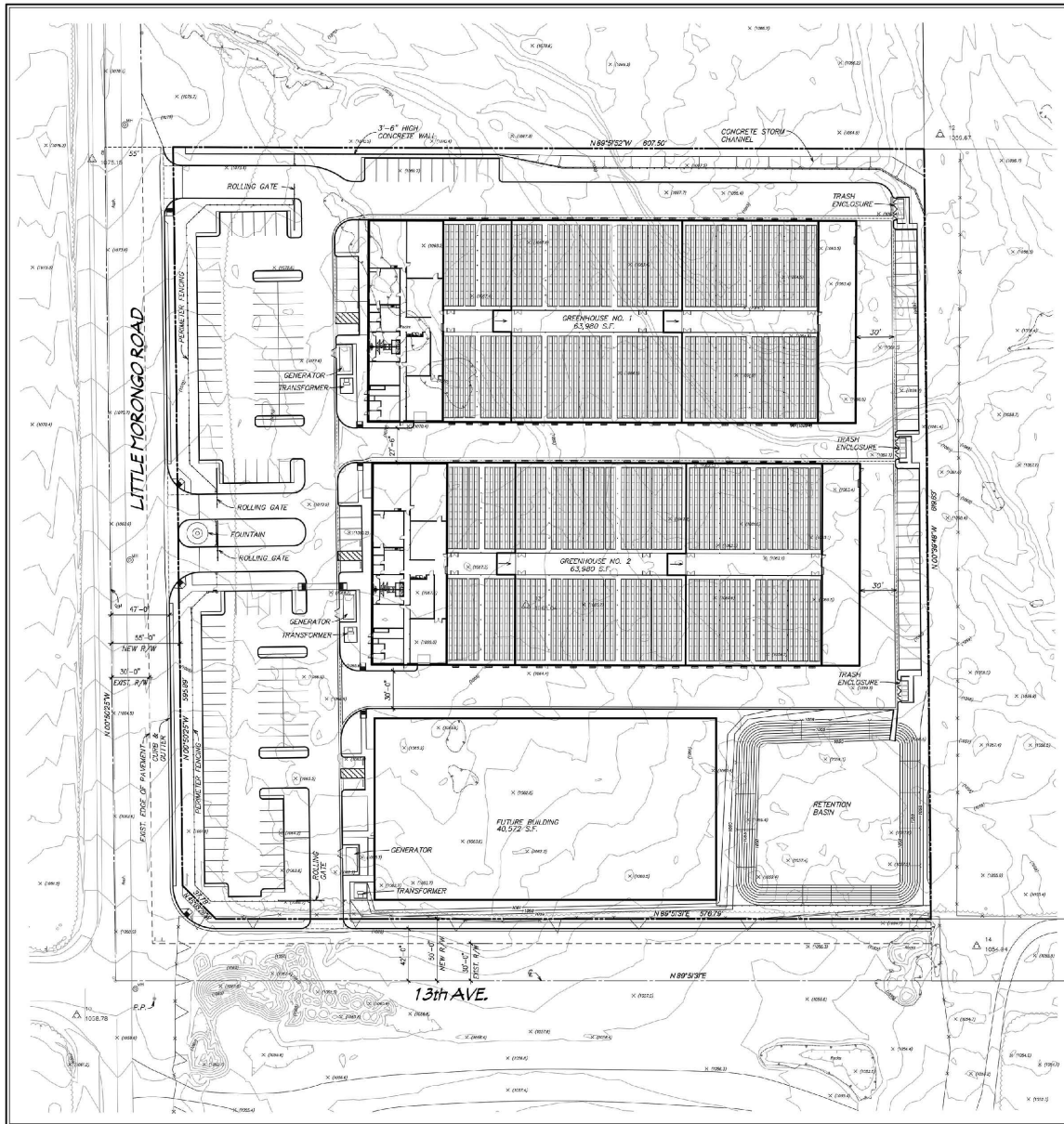
Security measures have been thoroughly incorporated into the Project design. The site is proposed to be enclosed within perimeter security fencing. Gated entry/exit drives will control vehicular access onto and off of the property. Security cameras will be mounted on all exterior doors, perimeter fencing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

Proposed circulation and parking will be consistent with City parking standards. Off-Street parking standards for marijuana cultivation and processing uses are not specifically defined in the City Zoning Code. Therefore, City staff has applied parking ratios for similar uses including Office (1 space per 250 square feet), processing (1 space per 750 square feet) and plant nurseries (1 space per 2,500 square feet are utilized), resulting in a requirement of 162 total parking spaces. The Project proposes to provide 171 parking spaces, six (6) of which are designated as ADA parking stalls. Ingress and egress to the site will be provided from Little Morongo Road. The entries will be monitored by onsite security personal. Controlled access keyed entry system such as a Knox box will be available for emergency access by use of police and fire personnel.

Individual operations would be similar to that of a standard wholesale nursery without onsite sales. There will be no general public access to the facility at any time. When fully staffed, the facility could generate approximately 75 employees that would work within the City's allowed operational hours. These roles will include oversight, compliance reporting, general cultivation, and processing. Security cameras will be monitored and supplemented with onsite security staff to be in full compliance with local ordinances. All staff will be subject to thorough background checks as per City regulations. All processing activities will take place within the interiors of the proposed building including propagation, curing, processing, potting, transplanting and shipping. Other uses may include extracting oils from the Cannabis plants using Fire Department approved CO2 equipment. The finished product will be packaged and loaded onto delivery trucks within secured, enclosed areas of the building.

In addition to this Environmental Initial Study, the Project's entitlements also include a Conditional Use Permit (Municipal Code 17.180.090). Approval of these entitlements will render the Project in full compliance with City regulations. Moreover, all marijuana cultivation and processing operations and any related activities, such as transportation, manufacturing, and testing, are required to comply with all relevant State laws.

The Project site plan is shown below in Exhibit 3.

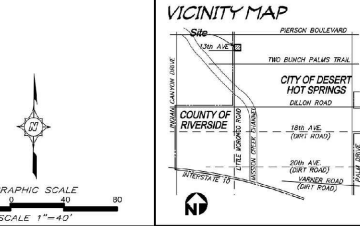


| CONDITIONAL USE PERMIT PROPOSED SITE PLAN | |
|--|--|
| EXHIBIT DATE: AUGUST 8, 2018 | |
| PROJECT DATA | |
| APPLICANT: | CHM DESERT LLC |
| ADDRESS: | |
| PHONE: | |
| LAND OWNER: | CHM DESERT LLC |
| ADDRESS: | |
| PHONE: | |
| CONTACT: | |
| EXHIBIT PREPARED BY: | SANBORN ARCHITECTURE GROUP, INC. |
| ADDRESS: | 71-780 SAN JACINTO DR. SUITE E-1 RANCHO MIRAGE, CA. 92270 |
| CONTACT: | ALLEN SANBORN |
| PHONE: | (760) 433-0000 |
| SOURCE OF TOPOGRAPHY: | VAN SURVEYING |
| ADDRESS: | 670 E. RESEARCH DR. PALM SPRINGS, CA. 92262 |
| DATE OF TOPOGRAPHY: | AUGUST 28, 2017 |
| PHONE: | (760) 250-4465 |
| LEGAL DESCRIPTION: | SW 1/4 OF SW 1/4 OF NE 1/4 SECTION 36, T2S, R4E |
| PUBLIC UTILITY PURVEYORS | |
| ELECTRIC: | SD CALIFORNIA EDISON 760-202-4291 |
| GAS: | SD CALIFORNIA GAS CO. 760-324-4051 |
| TELEPHONE: | FRONTIER 760-778-3601 |
| TELEVISION: | SPECTRUM 760-674-5452 |
| SEWER: | MISSION SPRINGS WATER DISTRICT 760-329-6440 |
| WATER: | MISSION SPRINGS WATER DISTRICT 760-329-6440 |
| ASSESSORS PARCEL NO.: | |
| 663-260-002 | |
| PROPERTY ADDRESS | |
| LITTLE MORONGO ROAD DESERT HOT SPRINGS, CA. 92240 | |
| AREA | |
| AREA: | 8.27 ACRES GROSS 8.62 ACRES NET 176,187 S.F. |
| ZONING DESIGNATION | |
| LIGHT INDUSTRIAL I-L | |
| GENERAL PLAN DESIGNATION | |
| LIGHT INDUSTRIAL I-L | |
| BUILDING DATA | |
| GREENHOUSE 1 | = 63,980 S.F. |
| GREENHOUSE 2 | = 63,980 S.F. |
| GREENHOUSE 3 | = 40,572 S.F. |
| SURROUNDING LAND USES | |
| NORTH | VACANT USE |
| SOUTH | VACANT LAND |
| EAST | VACANT USE |
| WEST | VACANT LAND |
| FEMA FLOOD ZONE DESIGNATION | |
| FLOOD ZONE "A0" 1 FOOT AND 3 FOOT DEPTH ONE FOOT DEPTH FLOODING IS AN AREA HAVING A FLOOD DESIGNATION SPECIAL FLOOD HAZARD ARE SUBJECT TO FLOODING BY THE ANNUAL CHANCE FLOOD BY THE SEPARATE OF HOUSING AND URBAN DEVELOPMENT ON FLOOD INSURANCE RATE MAP NO. 22060C0001, WITH A DATE OF REVISION OF 6/26/08. | |
| PARKING REQUIREMENTS | |
| TOTAL SITE: 3 GREENHOUSE BUILDINGS | 48 STALLS |
| CULTIVATION AREA (119,960 S.F.) (1 STALL PER 2,500 S.F.) | 74 STALLS |
| OFFICE AREA (12,672 S.F.) (1 STALL PER 750 S.F.) | 168 STALLS |
| TOTAL PARKING PROVIDED | 192 STALLS |
| WALKWAYS & ADA SPACES | 171 STALLS |

CONDITIONAL USE PERMIT INTENT:

1. MEDICAL PANAMA CULTIVATION IN ACCORDANCE WITH DESERT HOT SPRINGS MUNICIPAL CODE CHAPTERS 15.00 AND 17.00 INCLUDING PLANT CULTIVATION, TENDING, DRINK, EXTRACTING AND PROCESSING OF OILS AND BUTTERS, COO SHIPPING, USE FOR ENHANCED PLANT GROWTH AND EXTRACTING, PRODUCT PACKAGING AND SHIPPING.

2. THIS FACILITY HAS BEEN DESIGNED IN ACCORDANCE WITH DESERT HOT SPRINGS REGULATIONS GOVERNING THE CULTIVATION OF MEDICAL PANAMA (MPC) PLANT. THE FACILITY IS DESIGNED TO BE A SAFE AND HEALTHY ENVIRONMENT FOR THE CULTIVATION OF MEDICAL PANAMA (MPC) PLANT. THE FACILITY IS DESIGNED TO BE A SAFE AND HEALTHY ENVIRONMENT FOR THE CULTIVATION OF MEDICAL PANAMA (MPC) PLANT. THE FACILITY IS DESIGNED TO BE A SAFE AND HEALTHY ENVIRONMENT FOR THE CULTIVATION OF MEDICAL PANAMA (MPC) PLANT.



LEGEND:

INDICATES PLANT MAP AS NOTED

INDICATES WATER LINE

INDICATES GAS LINE

INDICATES SEWER LINE

INDICATES TELEPHONE LINE

INDICATES TELEVISION LINE

INDICATES CITY OF PALM SPRINGS

INDICATES STREET LIGHT

INDICATES CONCRETE MASONRY UNIT

APN: 663-260-002

PROJECT TITLE:
CHM DESERT LLC

Little Morongo Road
Desert Hot Springs, CA

SHEET TITLE:
CUP SITE PLAN

REVISIONS

COPYRIGHT

W.D. 18-121 [SCALE] 1"=40'

FILE NAME: # CUP SITE

SAVE DATE: 10/11/2018

DATE: Feb 20

SHEET NO. **A1.1**

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Site Plan
CHM Desert LLC
 Initial Study

2.3 Mitigation Monitoring Program

Table 2-1: Mitigation Monitoring Program outlines the potential impacts and mitigation measures of the proposed Project and assigns responsibility for the oversight of each mitigation measure. This Table shall be included in all bid documents and included as part of the Project development.

**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 the Project site design and operations adhere to and incorporate the applicable Land Use Adjacency Guidelines established in the CVMSHCP throughout project approvals and the life of the Project. | Developer | Prior to grading and other ground disturbing activities | Less than significant |
| | BR-3: The Project proponent shall ensure that burrowing owl clearance survey is performed not more than 30 days prior to Project site disturbance (grubbing, grading, and construction). If any owls are identified, the most current protocol established by the California Department of Fish and Wildlife (Burrowing Owl Mitigation) must be followed. | Developer Planning Dept Biological Monitor | Prior to grading and other ground disturbing activities | Less than significant |
| | BR-4: The Project proponent shall conduct agency consultation (including but not limited to the City of Desert Hot Springs, Army Corps of Engineers, and California Department of Fish and Wildlife) to determine if streambed alteration permits are necessary for stormwater channel protection improvements. | Developer Planning Dept | Prior to grading and other ground disturbing activities | Less than significant |
| V. Cultural Resources | CR-1: If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the applicant shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by, and at the cost of, the applicant to identify the resource and | 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 |
|----------------|---|---|---|-------------------------|
| | 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. | | | |
| | CR-2: The applicant shall ensure that any excavations deeper than 10-15 feet shall be monitored by a qualified paleontological monitor. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. | Planning Department Qualified Archaeologist | During grading and other ground disturbing activities | Less than significant |
| | CR-3: All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other approved curation facility. | Planning Department Qualified Paleontologist | During grading and other ground disturbing activities | Less than significant |
| | CR-4: In the event that any human remains are discovered, the applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and the Desert Hot Springs Police Department. The applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO). | Planning Department | During grading and other ground disturbing activities | Less than significant |

| Section Number | Mitigation Measures | Responsible for Monitoring | Timing | Impact after Mitigation |
|---------------------------------|--|--|---|-------------------------|
| XVII. Tribal Cultural Resources | TCR-1: Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Desert Hot Springs that Native American Tribal Representatives received a minimum of 30 days advance notice of all mass grading and trenching activities and provide evidence of monitoring agreements between the Applicant and the Tribes. The Native American Tribal Representatives shall be notified a minimum of 48 hours in advance and allowed to attend the pre-grading meeting with the City and project construction contractors and/or monitor all project mass/rough grading and trenching activities. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office. | Developer Planning Department Tribal Monitor | During grading and other ground disturbing activities | Less than significant |

CHAPTER THREE – ENVIRONMENTAL CHECKLIST

1. **Project Name:** CHM Desert, 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:**
Rebecca Deming
Community Development Director
760-329-6411
4. **Project Location:**
See Exhibits 1 and 2
5. **Project Applicants' Name and Address:**
CHM Desert, LLC
c/o Sheldon Aberman
3315 East Russell Road A4-214
Las Vegas, NV 89120
6. **General Plan Designation:** I-L Light Industrial District
7. **Zoning Designation:** I-L Light Industrial District
8. **Description of Project:** To process a Conditional Use Permit to construct a three-building campus and associated improvements specifically geared for cultivation and processing on a 9.27 gross-acre vacant site. The Project site will be secured by tubular steel or wrought iron fencing. At buildout, the facility will have an approximate total building area of 169,000 sf.
9. **Surrounding Land Uses and Setting:** The site is surrounded on the north by undeveloped land and the City's Light Industrial land uses, on the east by undeveloped land and undeveloped and conservation land uses and the City's Light Industrial land uses, and on the west by Little Morongo Road and developed and undeveloped residential development within Unincorporated Riverside County. To the south of the Project, the Green Horizons marijuana facility (CUP 14-16) is currently under construction. Adjoining land to the east forms part of the Morongo Wash Special Provision Area.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** The Project shall require approval from the Mission Springs Water District, the Regional Water Quality Control Board and, prior to construction and grading, the Project proponent shall through agency consultation (including but not limited to the City of Desert Hot Springs, Army Corps of Engineers, and California Department of Fish and Wildlife) determine if streambed alteration permits are necessary.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils | <input type="checkbox"/> Greenhouse Gases | <input type="checkbox"/> Hazards & Haz. 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"/> Tribal Resources | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Senior Planner

Date

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CHAPTER FOUR – DISCUSSION OF ENVIRONMENTAL TOPICS

Issues:

I. AESTHETICS -- Would the Project:

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

☐☐☒☐

Discussion:

The Project encompasses approximately 9.27 acres of undeveloped land situated east of Little Morongo Road and north of the unimproved alignment of 13th Avenue. The Project property is presently vacant and exhibits a predominantly flat condition with scattered vegetation coverage, primarily associated with the Sonoran creosote bush scrub community. Overall, there are no salient topographic features or other natural visual landmarks on the Project site or its general surroundings.

The northeasterly portion of the Project property is traversed by an unnamed wash, as shown on the U.S. Geological Survey (USGS) maps for the Project site, entering the property from the north and west respectively before exiting the property in a generally southeastern direction toward the off-site confluence with the Big Morongo Wash. The wash was formed by ephemeral/intermittent flows along shallow paths that are visually distinguished by slope breaks, soil erosion, and vegetative shifts. Portions of these paths have been outlined with man-made rock berms that rise one to two feet above ground. Overall, the on-site portions the wash exhibit physical features with a low visibility profile that therefore do not contribute to a unique scenic vista.

The Project property is adjoined by undeveloped land and light industrial land uses to the north. The eastern boundary is adjoined by the Morongo Wash Special Provisions Area under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). To the east, the Project is bordered by undeveloped land with a relatively flat topography and scattered vegetation coverage, similar to the on-site conditions. To the south of the Subject property, the Green Horizons marijuana facility is being constructed within the City's Light Industrial (I-L) land use district. To the west, the Project is bordered by Little Morongo Road, the centerline of which delineates the City-County limits. Land on the west side of Little Morongo Road (unincorporated Riverside County) includes developed and undeveloped single-family residential lots with a Medium Density Residential land use designation under the County of Riverside General Plan. Pole-mounted overhead utility lines are present along the east side of Little Morongo Road and the property's street frontage. Little Morongo Road and other local streets are absent of any light posts or illuminated light signals.

The City of Desert Hot Springs has varying distinguished views of surrounding topographic features and mountain ranges. The perception and uniqueness of scenic vistas and visual character can vary according to location and composition of its surrounding context. The subjective value of views is generally affected by the presence and intensity of neighboring man-made improvements, such as structures, overhead utilities, and landscape, often in relation to the aesthetic quality offered by a natural background, such as open space, mountain ranges, or a landmark feature. The proximity and massing of structures, vegetation, overhead utilities and other visual barriers interact with the visibility of

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surrounding environments to restrict or enhance local characteristic views. The assessment of scenic value also considers the compatibility of proposed projects in relation to areas, land uses or vantage points where the enjoyment of scenic vistas may exist, such as scenic roads or residential areas. For example, a light industrial facility proposed within an existing industrial land use district and distant from any scenic roadways or residential uses would be expected to result in considerably reduced impacts compared to a similar facility located near residential uses or adjacent to scenic roads, where the view shed opportunities would potentially be hindered. Existing light industrial development in the City typically consists of metal buildings with low-pitched roofs, and a mass and scale suitable for the zoning district, parcel size, and operation being supported.

The undeveloped Project property has distant and relatively unobstructed views of the San Jacinto and Santa Rosa Mountains to the southeast, south and southwest. Views of the Little San Bernardino Mountains are located to the north.

In accordance with Chapter 17.16.230 (Industrial Districts) of the Desert Hot Springs Municipal Code, new industrial development is required to employ design elements that enhance the visual character of a site and avoid certain features deemed undesirable. The design guidelines are intended to ensure that the aesthetic quality of proposed industrial facilities, such as this Project, surpasses the traditional design approach and characteristics found on past industrial development practices. For example, new industrial facilities are expected to employ “variety in structure forms” to create visual interest and avoid plain features, such as “large blank, unarticulated wall surfaces”, which are deemed less attractive. Entries to industrial facilities should portray a quality appearance while avoiding the use of chain link fencing or barbed wire.

An associated parking lot within a landscaped perimeter and fenced limits consisting of wrought iron or tubular steel will conclude in an overall gross acreage of 9.27. Consistent with the architectural design guidelines established in Chapter 17.16.230 of the City’s Municipal Code, the overall architectural character will be that of a well-maintained industrial facility and greenhouses. Architecture design for the southernmost 40,600 sf building has not been proposed at this time but is intended to match character and elevations of the two northerly 64,000 sf greenhouses. All architectural plans will require review by the City prior to construction. Proposed downward-oriented lighting mounted on the building walls and on posts will provide the necessary nighttime illumination for facility security in the parking lot and drive aisles.

Moreover, the Project’s design avoids the elements identified by the City as being undesirable. In particular, the Project will avoid highly reflective surfaces at the ground story; large blank, unarticulated wall surfaces; exposed, untreated precision block walls and chain link fencing. The proposed perimeter landscaping and wrought iron or tubular steel fence design will be complimentary to the building elements. The Project edges and Little Morongo Road frontage will be improved with trees as well as low level plantings to visually coordinate with the surrounding desert environment while providing the necessary visibility for law enforcement purposes. The landscaping design will be subject to review and approval by the City of Desert Hot Springs. The proposed Project is not anticipated to adversely alter the existing view shed on any scenic vistas and less than-significant impacts are expected.

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Less Than
Significant
Impact

No
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Mitigation Measures: None

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

☐☐☒☐

Discussion:

As previously discussed, the Project property consists of relatively flat terrain with dispersed vegetation coverage. Utility posts with overhead lines are found on the Project frontage along Little Morongo Road to the west. The property does not contain any landmarks or scenic resources, such as trees, rock outcroppings, or historic buildings that may be altered or damaged by utilization of the site.

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 Project property is not located adjacent to any existing highway or freeway. The Caltrans status map of scenic highway designations indicates that Highway 62, from north of Interstate 10 to the San Bernardino County line, is considered an Eligible State Scenic Highway, but is not officially designated. The distance between the Project and Highway 62 is approximately 3.90 miles.

Furthermore, the Project is not located within close proximity to any designated county scenic highway, as identified in the Circulation Element of the Riverside County General Plan Update. Therefore, the proposed cultivation facilities would not result in adverse impacts to scenic resources adjacent to or within close proximity to state scenic highway or other local transportation corridor. Less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

The Project design will consist of prefabricated, steel-frame greenhouse buildings that will visually coordinate with the exterior features and landscaping. The heights and setbacks of the proposed facilities will be required to comply with the local standards for industrial development. As such, the building height would be less than the 50-foot maximum and the building placement would comply with the required front, rear and side setbacks. Consistent with the existing land use standards, the proposed marijuana cultivation and processing will only be conducted in the interior of enclosed structures, facilities and buildings. All 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 and processing of medical marijuana.

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On-site improvements also include parking lot facilities and interior drive aisles with downward-oriented light fixtures for nighttime security illumination. The proposed perimeter landscaping throughout the site plan and along the Little Morongo Road and 13th Ave frontage will help enhance the visual character of the streetscape in a manner that is compatible with the local desert environment. The Project's final site design, architecture and landscape architecture will be subject to review and approval by the City of Desert Hot Springs to ensure that aesthetic considerations of the community are addressed in the proposed design. Less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

The Project property and its immediate surroundings to the north and south are presently businesses zoned as Light Industrial, that operate during typically business hours and do not constitute existing sources of glare or light. In the local vicinity, existing sources of low-intensity nighttime lighting can be attributed to residential structures located on the west side of Little Morongo Road and north of the Project site. These homes are located outside of the City's jurisdiction and are separated from the Project by a distance of approximately 280 feet. The individual residential lighting typically consists of low-intensity, wall-mounted, downward-oriented fixtures in the patio, side, and front yards of homes. Industrial buildings located south of the Project site are expected to have some source of nighttime lighting for both operational and security purposes. Little Morongo Road does not have public street lighting or illuminated traffic signals. Day-time glare and night-time lighting can be attributed to vehicular traffic on this roadway.

Consistent with the architectural design guidelines for industrial districts, established in Chapter 17.16.230 of the City's Municipal Code, the proposed buildings include a variety of exterior materials and articulated facades to create an attractive visual character and a quality appearance. The building design includes contrasting accent colors that complement the desert landscape, thus avoiding any bright tones, oversized windows, highly reflective surfaces, and large blank facades, such that would result in substantial daytime glare. The proposed combination of exterior materials and surfaces are expected to have partial solar reflectivity. As part of the landscape design, the proposed trees, palms, and other plantings along the Project perimeter and frontage are expected to help attenuate the visibility and partial sunlight reflectivity associated with the proposed buildings.

For security purposes, the Project will provide varied nighttime lighting to safely illuminate the parking areas, entrances, signs, walkways and other Project features in accordance with the City's Outdoor Lighting Requirements. These requirements are established to minimize light pollution and trespassing. Compliance with the City's lighting requirements is demonstrated in the photometric plan, which includes point-by-point lighting levels (measured in foot-candles) for the entire Project based on the proposed placement, orientation, and intensity of exterior light fixtures throughout the site. The photometric plan indicates that the proposed distribution of permanent wall-mounted and post-mounted fixtures has been designed, such that illumination is sufficiently diminished at the Project edges and adjacent properties. In doing so, unnecessary lighting concentration occurs because the proposed light fixtures downward

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and away from adjoining properties or the public right-of-way. The proposed lighting is required to allow for face recognition at 100 feet and satisfy the review and considerations raised by the Planning and/or Police Departments. During the period of construction, the Project is expected to utilize temporary light fixtures as a standard measure of nighttime construction site safety.

These fixtures are typically installed on posts and/or on the sides of temporary construction trailers to illuminate stored equipment and building materials. These sources of light are generally downward-oriented and some are only activated by motion. The temporary construction perimeter fencing (with wind fabric) is expected to visually screen the temporary light fixtures, therefore preventing temporary light spillage effects. The temporary nature of proposed lighting will allow for adjustments to ensure that illumination is properly distributed without affecting adjoining areas. Less than significant impacts are expected.

Mitigation Measures: None

II. AGRICULTURE RESOURCES – Would the Project:

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

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Discussion:

The Project will not disturb or convert any designated farmland or other form of agricultural resource. The subject property is designated as “Other Land” according to the Important Farmland Map of the 2012 California Farmland Mapping and Monitoring Program. A large portion of the City of Desert Hot Springs is designated as Other Land, which is land not included in any other mapping category. Common examples include low density rural development, brush, timber, wetland and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits and water bodies smaller than 40 acres. Vacant/nonagricultural land surrounded by urban development and greater than 40 acres is mapped as other land. The subject site and surrounding land to the north, east, south and west are not categorized as Prime Farmland, Unique Farmland, or Farmland of local or statewide importance, thus no impacts are expected.

Mitigation Measures: None

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

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Discussion:

The Project site is not located in an existing zone for agricultural use or classified as farm land. According to the Williamson Act Program 2015-16 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 reserve. No impacts are expected.

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Mitigation Measures: None

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

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Discussion:

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

Mitigation Measures: None

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

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Discussion:

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

Mitigation Measures: None

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

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Discussion:

As previously described, the Project site and vicinity are designated by the Desert Hot Springs General Plan and Zoning map as Light Industrial (I-L). The proposed indoor cultivation and processing facilities will not result in conversion of any farmland or forest land because no farmland or forest land is situated within or adjacent to the Project. No impacts are anticipated.

Mitigation Measures: None

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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:

- | | | | | |
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| 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"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

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.

Projects are evaluated for consistency with the local air quality management plans, which links local planning and individual projects to the regional plans developed to meet the ambient air quality standards. The assessment takes into consideration whether the Project forms part of the expected conditions identified in local plans (General Plan Land Use and Zoning) and whether the project adheres to the City's air quality goals, policies, and local development assumptions factored into the regional Air Quality Management Plan. As previously discussed, the undeveloped Project property has a Light Industrial General Plan and Zoning designation, which has been established to allow for the development of business parks and industrial uses, with which the proposed facility is consistent. The undeveloped Project site is primarily surrounded by vacant land to the south, north, and east and by scattered residential development to the to the west. Additional undeveloped land lies west of Little Morongo Road zoned for residential, outside of the City's jurisdiction. The prevailing winds within the Coachella Valley blow predominantly from the northwest to the southeast; therefore, the undeveloped land is located upwind in relation to the project.

Since the project is located within an industrial district in the City, it is considered consistent with the permitted locations established under Municipal Code Chapter 17.180. and processing facilities may also be located in any Industrial District in the City, upon issuance of a conditional use permit, and a state issued regulatory permit. Consistent with the existing land use standards, the proposed cultivation and processing shall only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation and processing 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 and processing of medical marijuana. The proposed facility will be compatible with the existing land use designation and development standards 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.

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The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines, when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. In March of 2017, SCAQMD released the most current Final Air Quality Management Plan (2016 AQMP), which is a regional blueprint for achieving the federal air quality standards. The 2016 AQMP includes both stationary and mobile source strategies to ensure that the approaching attainment deadlines are met and public health is protected to the maximum extent feasible. As with every AQMP, a comprehensive analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures is updated with the latest data and methods. Land use designation considerations are an important component of the AQMP development. The 2016 AQMP provides local guidance for the State Implementation Plans (SIP), which establishes the framework for the air quality basins to achieve attainment of the state and the National Ambient Air Quality Standards (NAAQS).

The Project will not require a General Plan Amendment or other revision that would induce a direct or indirect increase in population growth above the level projected in the adopted 2016 AQMP. The proposed Project is a permitted use in the existing zone and is subject to the applicable development standards. Projects that are consistent with local General Plans are considered consistent with the air quality related plans and attainment efforts included in the AQMP, the PM10 CVSIP and other relevant regional plans. Therefore, the Project will not interfere with the ability of the region to comply with federal and state ambient air quality standards.

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:

- 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 and SCAQMD Rules 403 and 403.1.
- A Fugitive Dust Control Plan will be prepared for the Project outlining required control measures throughout all stages of construction.

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

Mitigation Measures: None

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

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Discussion:

To assist lead agencies in determining the significance of air quality impacts, SCAQMD has established suggested short-term construction-related and long-term operational impact significance thresholds for direct and indirect impacts on air quality. Significance thresholds are recommended therein for both local and regional air quality impacts associated with short-term Project construction and long-term operations.

Table III-1 displays the established construction and operational daily significance thresholds, which are recommended for use by lead agencies in considering potential impacts on air quality. Project effects would be considered significant if the emissions exceed these thresholds. Project effects would also be considered potentially 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
SCAQMD's Air Quality Significance Thresholds**

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

Source: Air Quality Analysis Guidance Handbook, Chapter 5.

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

The California Emissions Estimator Model (CalEEMod Version 2016.3.2;) 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 Project.

The Project parameters involved a general light industrial facility with a total building area of up to 169,000 square feet and 68,400 square feet of proposed access roads, hardscape and parking lot surfaces on a net area of 8.62 acres. CalEEMod default construction parameters were accepted on construction activities for which site-specific information is not currently available.

Table III-2 summarizes the unmitigated short-term emissions of the six criteria pollutants associated with the construction activities required to implement the proposed Project. The construction period includes all aspects of Project development, including site preparation, grading, building construction, paving and architectural coating. 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 air pollutant emissions during the construction phase with the highest daily emissions are not projected to exceed any of the significance thresholds for short-term construction-related emissions recommended by the SCAQMD. Based upon the projected emissions of the criteria air pollutants, the proposed Project would have less than significant impacts relative to short-term impacts to air quality.

The 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

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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 identified in the 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
Short Term Air Pollutant Emissions
Associated With Construction of the Proposed Project (Unmitigated)
(Pounds/Day)**

| | ROG/VOC | NOx | CO | SO2 | PM10 | PM2.5 |
|---------------------------|---------------------|---------------------|---------------------|--------------------|---------------------|---------------------|
| Total Emissions | 40.3963 (Summer) | 74.1015 (Winter) | 40.5226 (Summer) | 0.0716 (Summer) | 28.7750 (Winter) | 16.8821 (Summer) |
| SCAQMD Threshold | 75 | 100 | 550 | 150 | 150 | 55 |
| Threshold Exceeded | No | No | No | No | No | No |

Note: CalEEMod does not directly calculate ozone (O3) emissions. Instead, the emissions associated with ozone precursors are calculated. VOC and ROG are summed in the CalEEMod report under the header ROG.

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

| Emission Source | ROG/VOC | NOx | CO | SO2 | PM10 | PM2.5 |
|--|--------------------|---------------------|---------------------|--------------------|--------------------|--------------------|
| Total Area Sources, Energy Use, Mobile Sources | 8.2881 (Summer) | 33.4331 (Winter) | 53.3682 (Summer) | 0.1665 (Summer) | 9.4454 (Winter) | 2.7294 (Winter) |
| SCAQMD Threshold | 75 | 100 | 550 | 150 | 150 | 55 |
| Threshold Exceeded | No | No | No | No | No | No |

Note: CalEEMod does not directly calculate ozone (O3) emissions. Instead, the emissions associated with ozone precursors are calculated. VOC and ROG are summed in the CalEEMod report under the header ROG.

Furthermore, CalEEMod was utilized to estimate the long-term operational air pollutant emissions that would result from implementation of the proposed Project. Operational emissions are ongoing emissions that will occur during the life of the proposed light industrial facility. They include area source emissions, emissions from energy demand, and mobile source (vehicle) emissions. As shown in Table III-3, the project-related emissions of criteria pollutants are not projected to exceed any of the SCAQMD

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recommended significance threshold criteria for operational impacts. Consequently, the Project would not contribute substantially to a significant individual or cumulative impact on existing or projected exceedances of the state or federal ambient air quality standards or result in a cumulatively considerable net increase in the emissions of any criteria pollutant for which the Project region is designated nonattainment. Less than significant impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

The Riverside County portion of the Salton Sea Air Basin is designated by the U.S. Environmental Protection Agency (EPA) as a “Severe-15” ozone nonattainment area for the 1997 8-hour federal ozone standard (0.080 ppm) and the more stringent 2008 standard (0.075 ppm). Violations of the ambient air quality standards for ozone in the Coachella Valley are primarily due to pollutant transport from the neighboring SCAB. Ozone is formed on sunny days from ozone precursors in the lower atmosphere that are emitted upwind of the Coachella Valley, in the coastal and central Los Angeles County areas of the SCAB. Pollutant transport through the Banning Pass, from the SCAB to the Salton Sea Air Basin, is the primary cause of the high ozone concentrations experienced in the Coachella Valley in the late afternoon and early evening. The attainment date for the 1997 8-hour ozone standard is June 15, 2019.

Based on reference publications by SCAMQD, Ozone is a pungent, colorless toxic gas produced in the troposphere by the photochemical process. Photochemical oxidant is created by complex atmospheric reactions involving NOx and reactive organic gases (ROG) in the presence of ultraviolet energy from sunlight. In the Coachella Valley, motor vehicles are the major source of the two ozone precursors, reactive organic gases (ROG) and oxides of nitrogen (NOx). Ozone is formed through chemical reactions of ROG, NOx, and oxygen in the presence of sunlight. The reactions that form ozone begin at sunrise and require sunlight to proceed. Peak ozone concentrations in the SCAB tend to occur near the source of precursors in the afternoon hours during the summer and early fall, when the solar radiation exposure of the air mass is the greatest. Ozone and ozone precursors are then transported downwind (from Central Los Angeles, through Riverside and Rubidoux, Banning, and then through the San Geronio Pass, into the Coachella Valley) as the photochemical reactions continue to occur. In the Coachella Valley, peak ozone concentrations occur in the late afternoon and early evening hours. The attainment date for the 2008 8-hour ozone standard is July 20, 2027. The 2016 AQMP is addressing the Clean Air Act planning requirements for ozone in the SCAB and the Coachella Valley portion of the SSAB.

As demonstrated in tables III-2 and III-3, project-related short-term construction and long-term operational emissions are not expected to exceed the daily thresholds of significance established by SCAQMD for ozone precursors, such as NOx and ROG/VOC. By complying with the adopted thresholds, the proposed development is also complying with the overall attainment strategies reflected in the 2016 AQMP.

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Furthermore, the Coachella Valley is currently designated as a serious nonattainment area for PM10 (particulate matter with an aerodynamic diameter of 10 microns or less). In the Coachella Valley, there are two primary sources of PM10: natural sources consisting of sea salts, volcanic ash, and pollens, and man-made or anthropogenic sources. Man-made sources originate from direct emissions, such as industrial facilities, fugitive dust sources (e.g., construction sites) and paved and unpaved road dust. The U.S. EPA-approved 2002 Coachella Valley PM10 State Implementation Plan (2002 CVSIP) includes an attainment strategy for meeting the PM10 standards. Some of the existing measures include the requirement of detailed dust control plans from builders that specify the use of more aggressive and frequent watering, soil stabilization, wind screens, and phased development to minimize fugitive dust. Appropriate air quality measures to prevent fugitive dust are required by the City of Desert Hot Springs and implemented through enforcement of the *Desert Hot Springs Municipal Code (Chapter 15.84)*, which is consistent with SCAQMD Rules 403 and 403.1 that apply to the Coachella Valley strategy for reducing fugitive dust emissions.

Relative to the PM10 emissions threshold, construction associated with Project facilities 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. Implementation of the Fugitive Dust Control Plan is required to occur under the supervision of an individual with training on Dust Control in the Coachella Valley (Rule 403 and 403.1). The plan will include methods to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. The most widely used measures include proper construction phasing, proper maintenance/cleaning of construction equipment, soil stabilization, installation of track-out prevention devices, and wind fencing. The permanent site condition will not have unpaved or non-stabilized ground surfaces that could emit fugitive dust during the life of the Project.

Since Project-related emissions would be consistent with the *Air Quality Management Plan*, the *Coachella Valley PM10 SIP*, and all SCAQMD Air Quality Significance Thresholds, long-term operational air quality impacts associated with the Project should not be considered cumulatively considerable. Less than significant impacts are anticipated.

Mitigation Measures: None

- d) Expose sensitive receptors to substantial pollutant concentrations?

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Discussion:

A sensitive receptor is a person in the population who is particularly susceptible (i.e. more susceptible than the population at large) to health effects due to exposure to an air contaminant. Sensitive receptors and the facilities that house them are of particular concern if they are located in close proximity to localized sources of carbon monoxide, toxic air contaminants, or odors. Land uses considered by the SCAQMD to be sensitive receptors include residences, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, childcare centers, retirement homes, and athletic facilities.

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As discussed throughout this assessment, the Project property is presently undeveloped and surrounded by a combination of vacant and developed conditions. The neighboring conditions situated both downwind (east and south) and upwind (west and north) of the Project is considered a mix of residential, industrial, and conservation. The land located south of the Project is currently under construction as an industrial use. Scattered residential development lies west and north of the Project site (upwind); this includes sparse single-family homes located west of Little Morongo Road, outside of the City's jurisdiction where the Riverside County General Plan Land Use designation is Medium Density Residential. These homes and vacant residential parcels are separated from the Project by a minimum distance of approximately 60 feet.

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 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. Examples of best available dust control measures include constructing a temporary fence with a wind screen to prevent propagation of dust emissions, utilizing properly maintained equipment, maintaining stabilized soil, and constructing track-out prevention devices at construction access points. These standard practices are consistent with the SCAQMD Rule 403 and 403.1 and the Coachella Valley Best Available Control Measures (CVBACM), as identified in the SCAQMD publication Coachella Valley Fugitive Dust Control Handbook. Fugitive dust control requirements apply to the Project and are therefore not considered mitigation by SCAQMD. Less than significant impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

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.

A sensitive receptor is a person in the population who is particularly susceptible (i.e. more susceptible than the population at large) to health effects due to exposure to an air contaminant. Sensitive receptors and the facilities that house them are of particular concern if they are located in close proximity to localized sources of carbon monoxide (CO), toxic air contaminants, or odors.

Certain facilities, land uses and populations are considered more likely to experience concern over odors. Land uses considered by the SCAQMD to be sensitive receptors include residences, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, childcare centers, retirement homes, and athletic facilities. Coordination with the SCAQMD is recommended for projects that would locate sensitive receptors within one-quarter mile of a new or existing land use that emits toxic

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air contaminants, objectionable odors, or is the site of a CO hot spot. Residential areas are considered sensitive receptors because residents tend to be at home for extended periods of time and include children and the elderly.

As previously described, the vacant Project property is situated within an industrial district of the City, surrounded by vacant and developed land. There is scattered residential development to the west of the subject property; the nearest residential structure is located approximately 280 feet to the southwest of the Project site in the unincorporated area in the County of Riverside. Cultivation and processing operations involved with the proposed Project can generate natural odors associated with plant blossoms. As mandated by Municipal Code Chapter 5.50 and 17.180, all medical marijuana cultivation activities are only allowed in the interior of enclosed structures, facilities, and buildings. Cultivation and processing 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 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 related to objectionable odors are anticipated.

Mitigation Measures: None

IV. BIOLOGICAL RESOURCES -- Would the Project:

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

Discussion:

In December 2018, James W. Cornett Ecological Consultants conducted a *Project-specific General and Focused Biological Resources Assessment*. The assessment area covered the Project site and 200 yards beyond all site boundaries (except to the west and south of the Project site due to the presence of private property and construction) The biological survey and analyses were designed to ascertain the impacts of proposed development on the potential biological resources of the Project site and immediate vicinity, as mandated by CEQA and required by the City of Desert Hot Springs.

The specific objectives of the biological survey are listed below:

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- 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's biological resources as they relate to the CVMSHCP and its Conservation Areas.
- If necessary and where appropriate, recommend measures to mitigate significant adverse impacts of the Project on sensitive species and habitats not covered in the CVMSHCP but determined to occur within the Project boundaries.

Survey methodology included literature, records, collections, website, or staff review to determine resources that are known to exist within the general area and to determine the possible occurrence of sensitive species. The University of California at Riverside Herbarium, the Boyd Deep Canyon Desert Research Center, the Coachella Valley Association of Governments, and the California Department of Fish and Game Natural Diversity Database were reviewed and consulted for specific information regarding the occurrence of sensitive species. Field surveys were initiated in November of 2018. Daytime field surveys were conducted on November 18, 19, 21, 22, 23, and December 1, 2, 2018. Night surveys were conducted on November 22, 23 2018. Animal surveys were conducted simultaneously with plant surveys. In addition, twenty-five live-animal traps (which capture animals unharmed) for large and small mammals were set within the Project site for twenty-four hour periods on November 18 and 22, 2018.

Surveys were conducted by walking east-west transects at 10-yard intervals through the Project site and 200 yards beyond all site boundaries (except to the west and south of the Project site due to the presence of private property). The survey techniques used during this assessment have 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.

The elevation of the Project site is approximately 1,060 feet above sea level. According to the report, the only topographical relief consists of stabilized sand hummocks that rise from one to three feet above their base. The hummocks were formed by shrubs that interrupted the flow of sand carrying wind coming from the west off the Mission Creek floodplain. The shrubs reduced wind velocity and resulted in sand deposits or "hummocks" at the bases of both shrubs and large rocks. The environment of the Project site is included as part of the desert scrub habitat of the valley floor as described in the CVMSHCP.

The Project Specific Biological Assessment indicates a small unnamed wash was found within the site boundaries and is shown on the U.S. Geological Survey (USGS) maps for the Project site. Minor amounts of desert wash vegetation were also noted, and because of these findings streambed alteration permits from the State of California and / or the Army Corps of Engineers may be necessary.

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Soil characteristics are uniform over the entire site. Surface soil is composed of windblown alluvium created by persistent winds from the west. This process increased in intensity with the drying out of the Coachella Valley at the close of the Pleistocene epoch ending 10,000 years before present. Subsurface soils can be comparatively coarse sand with some gravel indicating periods of surface water flow in prehistoric time. The presence of a few widely scattered boulders also indicates past surface flows.

The federally endangered perennial herb, the Coachella Valley Milk Vetch, usually occurs on sandy soils in the Coachella Valley. During the survey, no individuals within the Project site boundaries. This subspecies has been found less than a mile from the Project site in nearly identical habitat. Seeds of the species may, therefore, occur on the Project Site. The site also appears to be suitable for the Coachella Valley Jerusalem cricket and the Coachella Valley giant sand-treader cricket, however, the survey concluded that none of these species were detected. The Palm Springs ground squirrel was also detected. Each of these organisms is covered under the CVMSHCP and mitigation is provided under the plan through the payment of fees.

The Project site was found suitable for the burrowing owl, a protected species and one not functionally covered under the Plan. Six observations of the owl on or very near the Project site were recorded. However, no active burrows were found on site or within 100 yards of the Project site during site surveys. As owls are in the area and could take up residence within site boundaries at any time, the California Department of Fish & Wildlife recommends a burrowing owl clearance survey be conducted not more than 30 days prior to site disturbance.

The Project lies within the boundary of the CVMSHCP, which outlines policies for conservation of habitats and natural communities. The Project site's easterly boundary abuts the Morongo Wash Special Provisions Area that is treated as Conservation Area in the plan. Therefore, the Project is subject to CVMSHCP plan requirements regarding lands adjoining Conservation Areas. 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.

The CVMSHCP implements a habitat mitigation fee from new development in order to support the acquisition of conservation lands. The fee would be applied per Chapter 3.40 of the Desert Hot Springs Municipal Code (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fees). The Project is expected to comply with provisions of the CVMSHCP. Less than significant impacts would result from Project implementation provided the procedures established in Mitigation Measure BR-1 and BR-2 of this Initial Study are implemented.

The study's findings conclude that no significant adverse impacts to biological resources in the region are expected to result from the Project's development providing the mitigation measures recommended below are implemented. The biological report recommends four mitigation measures: 1) contact Coachella Valley Association of Governments (CVAG) to determine the precise mitigation fee applicable under the CVMSHCP; 2) Adhere to the recommendations for projects adjoining Conservation Areas of the Plan. The recommendations can be found in the Appendix of this report; 3) Conduct a burrowing owl clearance survey not more than 30 days prior to site disturbance; and 4) Through agency consultation,

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determine if streambed alteration permits are necessary. This recommended mitigation measures have been itemized as BR-1, BR-2, BR-3, and BR-4 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 measures listed below:

Mitigation Measures:

BR-1: The Project proponent shall contact Coachella Valley Association of Governments to determine precise mitigation fees applicable under the CVMSHCP. The time of payment must comply with the City's Municipal Code (Chapter 3.40).

BR-2: The Project proponent shall ensure that the Project site design and operations adhere to and incorporate the applicable Land Use Adjacency Guidelines established in the CVMSHCP throughout Project approvals and the life of the Project.

BR-3: The Project proponent shall ensure that burrowing owl clearance survey is performed not more than 30 days prior to Project site disturbance (clearing, 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.

BR-4: The Project proponent shall through agency consultation (including but not limited to the City of Desert Hot Springs, Army Corps of Engineers, and California Fish and Wildlife) determine if streambed alteration permits are necessary.

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

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Discussion:

The biological survey performed on the Project property did not find any on-site naturally occurring springs, permanent aquatic habitats 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 were found within the Project boundaries. The Project Specific Biological Assessment did indicate however a small unnamed wash was found within the site boundaries and is shown on the U.S. Geological Survey (USGS) maps for the Project site. Minor amounts of desert wash vegetation were also noted, and because of these findings streambed alteration permits from the State of California and / or the Army Corps of Engineers may be necessary.

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

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reduce off-site impacts. The Project applicant will also be required to develop and implement a Project-Specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The plan will be reviewed and approved by the City.

The Project-Specific WQMP involves a detailed strategy of site design, source controls, treatment controls and on-going maintenance measures to address post-construction runoff quality and quantity. Such compliance and implementation protects the receiving waters and avoids Project violations to the established water quality standards and waste discharge requirements. The quality and quantity of runoff generated by the Project will be required to be controlled, preventing impacts to any downstream resources. This topic is further discussed within the Hydrology and Water Quality Section of this document. Less than significant impacts are expected with the implementation of mitigation measure listed below.

Mitigation Measures: See BR-4:

- 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?

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Discussion:

According to the Project Specific Biological Resource Assessment, the Project site does not contain federally protected wetlands, marshes or other drainage features. The National Wetlands Inventory from the USFWS, indicated that there are no wetlands or riparian resources on the Project property. Furthermore, the Biological Resources Assessments did not identify naturally occurring springs or permanent aquatic habitats in or near the Project site boundaries nor are there botanical indicators of such corridors.

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 shall include facilities to prevent the direct discharge impacts of runoff to any adjacent land uses. A Project Specific Water Quality Management Plan (WQMP) is expected to be prepared to ensure that the Project does not contribute pollutants of concern in any Project storm runoff. Less than significant impacts are expected.

Mitigation Measures: None

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

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Per the Project Biological Resources Assessment, no evidence of migratory wildlife corridors or native wildlife nursery sites exists on the Project site or adjacent properties. The Coachella Valley region contains potential habitat for the burrowing owl, which is protected in the United States by the Migratory Bird Treaty Act of 1918. The Migratory Bird Act prohibits harming the owl and therefore, mitigation that is approved by the USFWS is generally required.

The Biological Assessments performed at the Project site included surveys approved by the USFWS for determining the presence or absence of the burrowing owl. The project site was found suitable for the burrowing owl. Six observations of the owl on or very near the project site were recorded. However, no active burrows were found on site or within 100 yards of the Project site during site surveys. As owls are in the area and could take up residence within site boundaries at any time, the California Department of Fish & Wildlife recommends a burrowing owl clearance survey be conducted not more than 30 days prior to site disturbance. 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 following implementation of mitigation measures.

Mitigation Measures: See BR-3:

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

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Discussion:

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

Mitigation Measures: None

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

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Discussion:

The Project lies within the boundary of the CVMSHCP, which outlines policies for conservation of habitats and natural communities. The Project site's easterly boundary abuts the Morongo Wash Special Provisions Area that is treated as Conservation Area in the plan. Therefore, the Project is subject to CVMSHCP plan requirements regarding lands adjoining Conservation Areas. These guidelines have

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been established to avoid or minimize indirect effects from development adjacent to Conservation Areas and discussed previously in this section.

The CVMSHCP implements a habitat mitigation fee from new development in order to support the acquisition of conservation lands. The fee would be applied per Chapter 3.40 of the Desert Hot Springs Municipal Code (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fees). The Project is expected to comply with provisions of the CVMSHCP. Less than significant impacts would result from Project implementation provided the procedures established in Mitigation Measure BR-1 and BR-2 of this Initial Study are implemented.

Mitigation Measures: See BR-1 and BR-2

V. CULTURAL RESOURCES –Would the Project:

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

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Discussion:

The Project is located on approximately 9.27 acres of undeveloped land within a partially developed industrial district in the City of Desert Hot Springs. This area of the City is designated as a Light Industrial (I-L) District which supports business parks and the development of industrial uses operating in enclosed buildings. CRM Tech prepared a Project Specific Historical/Archaeological Resources Survey Report from June and August 2018. The purpose of this survey is to provide the City of Desert Hot Springs with the necessary information and analysis to determine whether the Project would cause a substantial adverse change to any “historical resources” or “tribal cultural resources” that may exist in or around the Project area. The Report found no evidence of any settlement or land development activities on or near the Project area. The research methods performed by CRM Tech as part of this assessment includes a comprehensive records search, historical background research, contact with Native American representatives, and an intensive-level field survey.

According to Eastern Information Center (EIC) records, the Project area was the subject of a previous cultural resources study completed in 2005 for a planned development project on the property. The scope of that study also included a records search and an intensive-level field survey, and no cultural resources were identified in the project area as a result (ibid.:5-6). Since the 2005 study is now more than 10 years old, it is considered to be outdated for statutory-compliance purposes today, and a systematic resurvey of the property was deemed necessary for the current Project.

Outside of the Project area but within a one-mile radius, EIC records show some 50 previous studies covering various tracks of linear features, including the adjacent property to the south. In all roughly 55% of the land within the scope of the records search has been surveyed. With these survey efforts, eleven historical/archaeological sites and three isolates were previously recorded within the one-mile scope of the records search.

One of the sites was of prehistoric Native American origin; and the remaining sites dated to the historic period. Said remaining sites consisted of refuse scatters and isolated refuse items. None of these

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previously recorded cultural resources was found in the immediate vicinity of the Project area, and therefore, none of them requires further consideration during this study.

Historical maps consulted for the Project Specific study suggest that the Project area is relatively low in sensitivity for cultural resources from the historic period. No evidence of any settlement or development activities was noted within the Project boundaries throughout the 1850s-1950s eras. Little Morongo Road, first noted in the 1940s as a paved road, was the earliest man-made feature known to be present in the Project vicinity. By the 1950s, several unpaved roads, were laid out near the Project location and scattered residences followed over the next two decades. Since then, additional development has occurred gradually along both sides of Little Morongo Road, but the Project area itself has remained vacant and undeveloped to the present time. Despite these developments nearby, the Project area remained vacant and undeveloped, and is still currently vacant.

The field survey results were negative for cultural resources. The entire Project area was closely inspected for any evidence of human activities dating to the prehistoric or historic period, but none was found. As mentioned previously, scattered refuse was observed over much of the Project area, especially along the Project boundaries, but all of the items were found to be modern in origin, and none of them is of any historical/archaeological interest. No buildings, structures, objects, sites, features, or artifacts more than 50 years of age were encountered.

Recognizable potential historic resources, as defined in Section 15064.5 of the CEQA Guidelines that are not anticipated to be adversely affected by the proposed Project. This includes any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant and less than significant impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

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.

As previously discussed, CRM Tech conducted a Project and site specific study on historical and archaeological resources. The assessment included a records search, Native American scoping, historical background research and an intensive-level field survey. The investigators, during the field survey, did not encounter onsite buildings or structures. Eleven historical/archaeological sites were previously recorded outside the Project area but within a one-mile radius. One of the eleven sites was of prehistoric Native American origin; the remaining sites dated to the historic period and included refuse scatters. Per the Cultural Report, none of these previously recorded cultural resources was found in the immediate vicinity of the Project area, and none of them requires further consideration during this study.

Furthermore, the Native American Heritage Commission (NAHC) sacred lands record search did not indicate the presence of Native American resources within Project area. The NAHC did, however,

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recommend that additional local Native American groups be contacted for further information. Upon receiving the NAHC's response, CRM Tech sent written requests for comments to all 12 Tribes of Cahuilla and Serrano heritage on the referral list. The Twenty-Nine Palms Band of Mission Indians, whose reservation lies partially in the Coachella Valley, was also contacted.

In some cases, CRM TECH contacted the tribes' designated spokespersons on cultural resources issues in addition to or in lieu of individuals recommended by the NAHC, as recommended in the past by the appropriate tribal government staff.

Six tribal representatives responded in writing, and half stated that their respective Tribes have no specific information on any sites of Native American traditional cultural value in the Project area. The Tribal Historic Preservation Office of the Agua Caliente Band of Cahuilla Indians and the Morongo Band claimed the Project location as a part of their tribe's traditional use area. The Agua Caliente Tribal Preservation Office and the Morongo Band both requested that proper protocol be observed if human remains are unearthed inadvertently during earth-moving activities associated with the Project. Further consultation regarding the Project, between the Tribe and the City of Desert Hot Springs was requested by the Augustine Band, as well as proper treatment of cultural remains discovered during the Project. Following implementation of the recommended mitigation measures, less than significant impacts are expected following the recommended mitigation measure.

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?

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Discussion:

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

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

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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.

Mitigation Measures: CR-1 and CR-2

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

Discussion:

The historical and archaeological reports prepared by CRM TECH for this Project included intensive-level field observations of the entire site. The entire Project area was closely inspected for evidence of human activities dating to prehistoric or historic periods. As discussed previously, 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 Native American, the coroner shall contact by telephone within 24-hours of the Native American Heritage Commission. Pursuant to the mentioned California Health and Safety Code, proper actions shall take place in the event of a discovery or recognition of any human remains during Project construction activities. Less than significant impacts are expected following Mitigation Measure's implementation.

Mitigation Measures:

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

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?

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Discussion:

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.

Per the General Plan EIR, no known active faults traverse at or near the Project site. 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 1.8 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 1.8 miles northeast of the site. Surface rupture occurs when movement on a fault deep within the earth breaks through to the surface. The GP EIR indicates that fault ruptures usually follow preexisting faults, which are zones of weakness.

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

Mitigation Measures: None

ii) Strong seismic ground shaking?

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Discussion:

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

The proposed facilities will be required to 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

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most current seismic design coefficients and ground motion parameters and all applicable provisions of the California Building Code (CBC.) Remedial grading and construction will work to reduce exposure of people or structures to adverse effects to the greatest extent possible against seismic hazards. All grading and construction plans will be reviewed and approved by the City.

The GP EIR includes the following Mitigation Measure that the applicant will be conditioned to implement: The City shall require the preparation of soils and/or geotechnical studies for future development proposals in the community. Analyses shall include evaluation of seismic and soil conditions and provide recommendations that mitigate soils and geotechnical hazards or constraints. Following compliance with standard conditions relative to geotechnical studies and seismic design requirements, less than significant impacts are expected.

Mitigation Measures: None

iii) Seismic-related ground failure, including liquefaction?

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Discussion:

The General Plan Geotechnical Element indicates that 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.

According to the Mission Springs Water District (MSWD) Draft 2010 Urban Water Management Plan, groundwater levels in the Mission Creek Subbasin, in which the Project is located, average 300 feet below the ground surface.

The chance for hazards associated with liquefaction is considered low in the Desert Hot Springs area, principally because of the approximate depth to ground water. The exception includes lands located immediately adjacent to and on the north side of the Banning and Coachella Valley (Mission Creek) Faults, which dike ground water and allow it to rise within 50 feet of the surface. Effects of liquefaction include a loss of bearing strength, ground oscillations, lateral spread and slumping. The property is located a approximately 1.8 miles from the nearest of the fault, the Mission Creek Fault

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 are expected.

Mitigation Measures: None

iv) Landslides?

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Discussion:

Per the General Plan Geotechnical Element, The subject property is not located near an area of Seismically Induced Rock Falls and Landslide Susceptibility. Exhibit V-2 of the Geotechnical Element

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indicates that the closest area with moderate susceptibility to landsliding is approximately 2.25 miles to the southwest which is an isolated geological feature referred to as Devers Hill. Additionally, the hazard of landsliding is unlikely due to the relatively flat topography of the property; therefore, no impacts are expected relative to landslides.

As further discussed within Section IV Hydrology and Water Quality, the site is impacted by seasonal Stormwater runoff. As previously discussed, the Project is traversed by an unnamed wash in-flowing from the north and west respectively before exiting through the easterly parcel boundary in a southeastern direction toward the off-site confluence with the Big Morongo Wash. In general, impacts related to flooding, erosion and debris flows should be mitigated by proper drainage design including collecting and disposal (conveyance) of water to approved points of discharge. The Project proposes the construction of a 5-foot-high concrete storm channel lining along the north easterly portions of the perimeter. Flood control devices and erosion protection will be reviewed by the City and relevant agencies for compliance. Less than significant impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

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

Relative to waterborne erosion, according to FIRM panel 06065C0885G, effective August 28, 2008, the entire Project and its immediate surroundings are located within Zone AO and are therefore identified as being subject to inundation by the 1-percent-annual-chance storm. The entire Project area is subject to two distinguished flooding conditions, based in part on the proximity to the Big Morongo Wash. In particular, the westerly 2.8 acres of the Project can potentially be affected by an average flood depth of three (3) feet and a velocity of five (5) feet per second. The remaining easterly 6.48 acres of the Project are subject to an average flood depth of three (3) feet and a velocity of eight (8) feet per second. The average flood depths are derived from detailed hydraulic analyses by FEMA. Mandatory flood insurance purchase requirements and floodplain management standards apply to all development. See Section IX Hydrology and Water Quality for further discussion.

The Proposed Site Plan indicates that offsite run-on to the site is collected and conveyed through or around the proposed Project site and continues along the existing flow direction. The worst-case scenario increase of the pre- and post-construction runoff would be adequately contained in the surface retention system. All onsite 100-year peak discharges would drain into one retention basin via surface and piped flows. Proposed construction would not alter the FEMA Flood Zone AO sheet flow or be impacted by the flood depth.

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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 required as a Condition in the City's General Plan. The Project will implement the following 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 PM10 Fugitive Dust Control Plan.

Compliance with adopted procedures for grading and erosion will mitigate impacts associated with grading the site to less than significant.

Mitigation Measures: None

- 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?

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Discussion:

The onsite area has a variably vegetated topography that slopes to the southeast. As discussed previously, hazards associated with liquefaction, lateral spread and offsite landslides are not expected.

According to the Project Specific Preliminary Hydrology Study the Project's hydrologic Soil Group is A, and is defined by RCFC 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."

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 2.25 miles southwest of the subject property.

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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. Following the 2009 installation of groundwater replenishment systems, an important recent exception was observed in La Quinta where groundwater levels stabilized and rose, and the rate of land subsidence substantially decreased. 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 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. Less than significant impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

According to the General Plan Geotechnical Section, expansive soils are those, which include a significant amount of clay and are subject to swelling. Expansive soils can change in volume and can exert significant pressure on loads (such as buildings) that are placed on them. In the General Plan study area, expansive soils are not generally considered a hazard because of the relatively minor amount of clay present in the soils. Where expansive soils may occur is in the Qf3 and Qf4 soils, which generally occur north of the Mission Creek Fault and in the vicinity of Whitewater Hill. The property is approximately 1.0 miles southwest of the Mission Creek Fault and 5.0 miles northeast of Whitewater Hill. Less than significant impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

Mission Springs Water District (MSWD) currently provides sewer service to the west in Little Morongo Road. The Project will connect to sewer for disposal of waste water. Project design will undergo City review; the Project will be required to meet the Regional Water Quality Control Board (RWQCB) standards and to comply with MSWD, and Riverside County Environmental Health. Design for all disposal systems shall comply with industry regulations. Less than significant impacts are anticipated.

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Mitigation Measures: None

VII. GREENHOUSE GAS EMISSIONS --Would the Project:

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

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Discussion:

Greenhouse Gas (GHG) is a gaseous compound in the earth's atmosphere that is capable of absorbing infrared radiation, thereby trapping and holding heat in the atmosphere. Common greenhouse gases in the earth's atmosphere include: water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone, and to a lesser extent chlorofluorocarbons. Carbon dioxide is the main GHG thought to contribute to climate change.

In response to growing concern for long-term adverse impacts associated with global climate change, California's Global Warming Solutions Act of 2006 (AB 32) requires California Air Resource Board (CARB) to reduce statewide emissions of greenhouse gases to 1990 levels by 2020. In 2016, Governor Jerry Brown signed Senate Bill 32 (SB32) that requires California to reduce GHG emissions to 40 percent below 1990 levels by 2030. Additionally, in 2013, the City of Desert Hot Springs adopted their Climate Action Plan (CAP) that includes policies applicable to new development for the reduction of GHGs.

However, there is currently no statewide adopted threshold for GHG emissions. The SCAQMD has adopted a screening threshold of 3,000 MTCO₂e per year for stationary source emissions for small land use Projects and 10,000 MTCO₂e for industrial facilities. These GHG emissions would occur as a result of Project-related area sources, energy usage, mobile sources, solid waste disposal, water usage, and wastewater treatment.

The CalEEMod (The California Emissions Estimator Model/CalEEMod Version 2016.3.2) was utilized to estimate the long-term operational air pollutant emissions and the greenhouse gas emissions that would result from the implementation of the proposed Project. The annual GHG emissions associated with the operation of the proposed Project is 3,059.613 MTCO₂e per year as summarized in Table VII-1. Direct and indirect operational emissions associated with the Project are compared with the SCAQMD threshold significance for industrial facilities Projects, which is 10,000 MTCO₂e per year.

The proposed cultivation and processing facility will add a new land use, and as a result, an increase in greenhouse gas emissions is expected. The Project will operate under the mandatory regulations found in the most recent Cal Green Building Standards Code for non-residential uses. According to the CALGreen guidance, these regulations promote activities such as the use of bicycles and clean air vehicles as alternative means of transportation in alignment with California's aggressive efforts to reduce greenhouse gas emissions.

The construction related and operational emissions of Co₂ equivalent are less than the SCAQMD interim threshold of 10,000 MT/year for industrial facilities. Therefore, less than significant impacts are expected.

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**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 | 6.0700e-003 | 2.0000e-005 | 0.0000 | 6.4800e-003 |
| Energy | 844.8607 | 0.0284 | 0.0101 | 848.5742 |
| Mobile Sources | 1,887.426 | 0.1278 | 0.0000 | 1,890.621 |
| Waste | 42.4211 | 2.5070 | 0.0000 | 105.0964 |
| Water Usage | 174.0524 | 1.2766 | 0.0314 | 215.3146 |
| Total CO₂E (All Sources) | 3,059.613 | | | |

Source: CalEEMod™ output.

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

Mitigation Measures: None

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

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Discussion:

California's Global Warming Solutions Act of 2006 (AB32) requires California to reduce its GHG emissions to 1990 levels by 2020. California Air Resource Board (CARB) has identified measures to achieve this goal as set forth in the CARB Scoping Plan. The SCAQMD adopted the interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to projects where the SCAQMD is the lead agency. Additionally, the City of Desert Hot Springs has adopted a Climate Action Plan (CAP) to help reduce greenhouse gas emissions or support reduction strategies resulting from development.

SB 32 adopted in 2016 requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The Project will reduce its GHG emissions to the maximum extent feasible through energy conservation measures and implementation of the current California Green Building Standards Code, along with the use of water efficient irrigation as well as natural lighting will be implemented for the landscape design. The Project will not interfere with the state's implementation of AB 32 or SB 32. As previously indicated, the Project would not exceed the 10,000 MTCO₂e threshold, therefore the Project's GHG emissions would not conflict with plans and policies adopted for the purpose of reducing GHGs emissions. Less than significant impacts are expected.

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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?

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Discussion:

The Project site is approximately 9.27 acres of vacant desert land and proposes to construct three detached marijuana facilities specifically geared for cultivation and processing. Development will consist of three prefabricated, steel-framed greenhouse structures. The Project will not involve the use or storage of hazardous materials other than organic certified fertilizers and California approved natural pesticides and fungicides. These materials will be stored and applied according to manufacturer's instructions to mitigate the potential for incidental release of hazardous materials or explosive reactions.

The Code of Federal Regulations (CFR Title 40, Part 261) defines hazardous materials based on 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. As a result, the use and management of hazardous or potentially hazardous substances is regulated under existing federal, state and local laws. Hazardous wastes require special handling and disposal methods to reduce their potential to damage public health and the environment. Manufacturer's specifications also dictate the proper use, handling, and disposal methods for the specific substances.

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

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

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Consistent with the local codes regulating light industrial districts and medical marijuana facilities, all proposed cultivation and processing operations would only be conducted in the interior of enclosed structures, facilities and buildings. All cultivation and processing 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 and processing of medical marijuana. The proposed medical marijuana cultivation and processing 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. Less than significant impacts related to the routine transport, use or disposal of hazardous materials are expected.

Mitigation Measures: None

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

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Discussion:

The Project site is located within a light industrial land use sector of the City that is separated from residential or other densely populated land uses. As previously discussed, the Project is not expected to handle any significant quantities of hazardous materials. Any other use of potentially hazardous substances, is expected to occur in small quantities and managed on-site with the proper containment and facilities, as required by the industry standards.

Cultivation and processing activities would involve plant treatment with organic fertilizers, insecticides, acaricides, fungicides, and other crop protection agents. The application and management methods of fertilizers and crop protection agents would be required to comply with all manufacturer-specific instructions, precautionary requirements, and accidental release measures. In most cases, it would be a violation of Federal law to apply these products in a manner that is inconsistent with the instructions provided in each corresponding product labeling.

The most common restrictions prohibit the products from being applied directly to water or areas where surface waters are present. These substances would be stored and applied according to the manufacturer's instructions to reduce the potential for incidental release or reactions. Cleaning of equipment shall not result in water contamination. The products shall not be applied either in a way that come in contact with workers or other persons, directly or through drift. Only protected handlers may be present in the area during application. The application and management methods are also subject to requirements pertaining to training, decontamination, notification, and emergency assistance. Any wastes resulting from the use of these products may only be disposed of in a landfill approved for pesticide or hazardous material disposal, or in accordance with the applicable federal, state or local procedures.

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

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

Mitigation Measures: None

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

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Discussion:

The Project is not located within one-quarter mile of an existing or proposed school. The nearest existing school is Desert Hot Springs High School located approximately 0.5 miles northeast of the subject property. Another school, Two Bunch Palms Elementary is located approximately 1.1 miles southeast of the subject property.

As previously discussed, the Project site would be developed for the cultivation and processing of marijuana. The Project will operate in a fully secured setting and surrounded with perimeter fencing. There will be no public access at any time. The nature of the Project would not involve the use or handling of hazardous substances in quantities or conditions that would result in the release of hazardous emissions, materials or waste. Materials stored on site will be stored and applied according to manufacturer's instructions to mitigate the potential for incidental release of hazardous materials, explosive reactions, injury and contamination. Moreover, all hazardous materials associated with the construction and operation of an industrial facility will be subject to federal, state, and local regulations. To further minimize any potential public exposure to accidental risks, proper construction and safety measures will be implemented and temporary impacts during construction will be further mitigated by standard operational procedures and protocols as well as Best Management Practices (BMPs). Less than significant impacts are expected.

Mitigation Measures: None

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|--|--------------------------------------|---|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

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

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

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

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

In December 2018, a search was performed on all three database platforms. Each of the databases listed at least one registered site within a mile radius of the Project property. The search results, however, did not identify any records or sites in connection with the subject property. The registered facilities are listed below.

The GeoTracker database identified one facility within a mile radius of the Project property. This listed site is Desert Hot Springs City Yard, located approximately 0.60 miles east of the Project, at 65810 Hacienda Avenue. Desert Hot Springs City Yard was registered as a LUST Cleanup Site; however, in August 2000, the status of the site was determined as Completed, Case Closed.

The EnviroStor database also listed one site within a mile radius of the proposed Project. The site is Desert Hot Springs High School, located at 65850 Pierson Boulevard, approximately 0.50 miles northeast of the Project property. The site was registered as a school investigation site, and as of May 2003, no action has been required.

The ECHO database listed three sites within a mile radius of the Project property. The first registered facility is Desert Stage Lines, at 65100 San Jacinto Lane, approximately 0.55 miles south of the Project.

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The site is registered in the RCRA as an active small quantity generator (SQG). The second registered site also lies approximately 0.55 miles south of the Project, at 65242 San Jacinto Lane. This site is listed within the RCRA as an active SQG, as well as the CAA. The final registered facility within a mile of the Project is Desert Hot Springs City Yard, at 65810 Hacienda Avenue. This site was listed in CWA for an expired permit (CAZ 442229) in 2014. According to the ECHO database, these three sites currently hold the status of having no violations.

Per the records search pursuant of Government Code 65962.5, the Project site was not registered as having any Leaking Underground Storage Tank (LUST) Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks onsite. The sites registered within the searched databases are not expected to impact the Project property due to their distances from the Project, and their statuses of Completed, Case Closed, no action, and no violations. Less than significant impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

The Project is not located near an existing airport or airport land use plan. The nearest airport facility to the Project is the Palm Springs International Airport, located approximately 7.5 miles to the south. No impacts are anticipated.

Mitigation Measures: None

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

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Discussion:

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

Mitigation Measures: None

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

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Discussion:

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

The City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) for a full range of fire protection services provided 24 hours a day 7 days a week. The RCFD is staffed with a combination of County and State of California Department of Forestry & Fire Protection employees. They operate 94 fire stations that serve approximately two million residents over 7,004 square miles of Riverside County. The City of Desert Hot Springs has three RCFD fire stations, Battalion 10, Station 36; located at 11535 Karen Avenue is approximately 2.5 miles from the Project site. Battalion 10, Station 37 is the City's busiest fire station and is located at 65-958 Pierson Blvd, approximately 1.5 miles from the proposed Project. The third station, Battalion 10, Station 57, is located at 72985 Dillon Road, and is about 8 miles away from the Project's facility. Each station is 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 facilities located in the Coachella Valley, the department maintains a cooperative mutual aid agreement with other agencies and communities to assist in suppressing fire or controlling emergency incidents. Mutual aid is an agreement among emergency responders to lend assistance across jurisdictions provided resources are available and is not to the detriment of their own service area. Per the City's General Plan, agreements are in place with Palm Springs and Cathedral City. Both of these cities provide their own fire services and do not contract with RCFD/Cal Fire. As previously discussed, the nature of the proposed Project is not expected to introduce operations that would hinder the City's ability to implement its emergency response goals, policies or programs.

The site plan configuration of the proposed development includes fire truck accessible drive aisles and a looped driveway to ensure adequate emergency response access on-site. The proposed design would be subject to a standard review process by the Riverside County Fire Department to ensure that the site-specific emergency access, water pressure, and other pertinent criteria are met by the Project. Less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

Large areas of Southern California are susceptible to Wildfires all year round due to the region's weather, topography and vegetation conditions. The Coachella Valley's hot dry summer and autumn weather is

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ideal to generate the dry vegetation that fuels most wildfires. The California Board of Forestry (CDF) ranks fire hazard of wildland areas of the State using four main criteria: fuels, weather, assets at risk, and level of service. Although the Project site and its general surroundings are undeveloped with scattered vegetation, these conditions have not been recognized to meet the criteria of high or very high fire hazard zones.

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

The Riverside County RCIP and the Cal Fire Maps for Western Riverside County indicate that Project and its surroundings are located outside of the Very High Fire Hazard Severity Zone (FHSZ) for Local Responsibility Area and outside of the Very High/High/Moderate FHSZ for State and Federal Responsibility Areas. As previously discussed, the Project will include the on-site fire protection facilities necessary to satisfy the local Fire Department requirements. Less than significant impacts related to wildland fire are expected.

Mitigation Measures: None

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

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

Discussion:

The Clean Water Act (CWA) of 1972 establishes regulations pertaining to the discharge of pollutants to waters of the U.S. from point sources. Subsequent amendments to the CWA in 1987 established a framework for regulating non-point source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). Presently 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 encompass storm water discharges from construction sites, municipal separate storm sewer systems (MS4s), and major industrial facilities. The proposed Project is located within the Whitewater River Watershed in the Colorado River Region (Region 7). The City of Desert Hot Springs is a Permittee of the Whitewater River Watershed MS4. Within Region 7, the approved Water Quality Control Plan, prepared by SWRCB, provides guidelines for protecting the beneficial uses of state waters within the Region by preserving and protecting their water quality. Receiving waters in the Coachella Valley relevant to the Project include Big Morongo Creek (Wash), Whitewater River, and the Coachella Valley Storm Water Channel. The nature and size of the proposed development prompts compliance with the existing regulations pertaining to water quality standards and waste discharge requirements.

The proposed Project will result in temporary and permanent disturbance in an area greater than one acre. Therefore, the developer must comply with the State's most current Construction General Permit

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(CGP), Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ. Compliance with the CGP involves the development and implementation of a project-specific Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality during the period of construction. The required plan will identify the limits of disturbance with locations and types of construction activities requiring best management practices (BMPs) and other necessary compliance measures. Consistent with Section XIV of the CGP, the SWPPP will also specify the relevant good site housekeeping requirements, proper waste management, proper material handling and storage within the allowable construction limits.

Based on the Project location and setting, the SWPPP is expected to identify temporary sediment track-out prevention devices at the construction entrance/exit points adjacent to public roadway. These BMPs will provide stabilization at the access point(s) to prevent sediment track-out and fugitive dust emissions. Linear sediment barriers may be warranted along portions of or the entire construction perimeter to prevent soil erosion impacts. Any proposed storm drain inlets will require temporary protection to prevent sediment or pollutants from entering the on-site storm drain system. Furthermore, all construction activities will be subject to good site housekeeping requirements for waste management, material handling, and storage.

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

The Project is designed with an on-site stormwater retention system that during the life of the Project will comply with the City's drainage requirements by preventing site discharge and transport of untreated runoff. All onsite project flows will drain through a series of gutters, catch basins and pipes and will terminate within project-graded retention basin which has been preliminarily sized to provide sufficient storage for the incremental increase resulting from the 100-year controlling storm event. Existing offsite flow that enters the site from the north shall be collected within the northerly portion of the site and directed to historical path easterly. This offsite flow shall be directed by a 5' high rip rap channel wall which will be reviewed and approved by all appropriate agencies. The Project will be required to comply with the Stormwater Management and Discharge Controls per Chapter 13.08 of the Desert Hot Springs Municipal Code (Ordinance #1997-03). Moreover, the Project proponent will be required to develop and implement a Project-Specific Water Quality Management Plan (WQMP) to comply with the most current standards of the *Whitewater River Region Water Quality Management Plan for Urban Runoff* and the *Whitewater River Watershed MS4 Permit*.

The Project-Specific WQMP will identify a strategy of site design, source controls, and treatment controls with a required operation and maintenance program to address post-construction runoff quality and quantity. The site plan, grading design, storm drain design, and retention facility of the Project must be factored in the Project-Specific WQMP development and documentation. Runoff from throughout the impervious surfaces (buildings, hardscape and pavement) of each drainage management area will be conveyed via surface and piped flows to a corresponding underground retention structure. Each retention

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facility will be sized to collect and percolate the worst-case increase in runoff volume between the pre- and post-development condition resulting from the 100-year controlling storm event. As proposed, the stormwater retention and management strategy are expected to comply with local and regional requirements for protecting surface water quality and preventing waste discharge violations. Less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

Local groundwater resources are managed under the Missions Springs Water District 2015 Urban Water Management Plan (UWMP). Regionally, groundwater resources are managed by a partnership among MSWD, Coachella Water Authority (CWA), Coachella Valley Water District (CVWD), Desert Water Agency (DWA), and Indio Water Authority (IWA) under the Coachella Valley Integrated Regional Water Management (IRWM) program. The UWMP acknowledges that continued artificial groundwater recharge efforts are necessary to eliminate or reduce the groundwater overdraft condition. MSWD, DWA, and CVWD presently manage the Mission Creek Subbasin resources and its replenishment efforts under the terms of a 2004 settlement agreement. Groundwater management is also guided by the evaluation and water use strategies identified in the UWMP. As required by the policies of the General Plan, the City continues to cooperate with MSWD and other agencies in implementing a groundwater replenishment program capable of ensuring the viability of the Mission Creek Subbasin.

Water use and conservation strategies identified in the UWMP incorporate demographic data and planned land use conditions identified in local plans (e.g. City of Desert Hot Springs General Plan) to forecast the development intensities and other growth factors as they relate to achieving the most efficient use of groundwater resources. Water uses within MSWD's service area are categorized by service sector. Industrial uses are aggregated with the categories of institutional and irrigation. As such, industrial uses represent less than 2 percent of the total number of water service connections tabulated in 2015, while the actual demand for potable water corresponding to industrial, institutional, and irrigation uses account for approximately 13.6 percent of the total demand during the same year. Due to the sector aggregation, industrial uses alone are assumed to represent a portion of the 13.6 percent. As previously discussed, the proposed development is consistent with the designated land use and development intensity reflected in the adopted General Plan and therefore is not expected to alter the existing groundwater management objectives.

The proposed development will be expected to implement water conservation measures to reduce impacts to public water supplies. These measures must include low-flow plumbing fixtures, drought-

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tolerant (native) outdoor landscaping, and water-efficient irrigation systems. Additional domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process.

The Project includes a graded retention basin designed to collect and infiltrate the incremental increase between pre-development and post-development stormwater runoff volume resulting from the controlling storm event. This method of stormwater management will therefore facilitate groundwater recharge through infiltration. Infiltration opportunities are also provided in the form of pervious cover areas in the landscaping design. Less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

The Project property consists of undeveloped land with partial vegetation coverage and a relatively flat terrain. As previously discussed, the Project is traversed by an unnamed wash in-flowing from the north and west respectively before exiting through the easterly parcel boundary in a southeastern direction toward the off-site confluence with the Big Morongo Wash. The wash is formed by intermittent flows along shallow paths distinguished by varying slope breaks, soil erosion, and vegetative shifts. Portions of these paths have been informally outlined with man-made rock berms that rise one to two feet above ground.

The identification and mapping of the wash is reflected in the current and historic United States Geological Survey (USGS) Topographic Maps (Desert Hot Springs Quadrangle), the USGS National Hydrography Dataset (NHD), and the *Whitewater River Watershed MS4 Permit Area Facilities Map* published by the Riverside County Flood Control District. Moreover, the U.S. Fish and Wildlife Service National Wetlands Inventory identifies this drainage as a riverine feature with a classification of R4SBJ, corresponding to washes or intermittently flooded streambeds and decoded as riverine, intermittent, streambed, intermittently flooded.

To prevent changes to local drainage conditions (patterns, quantities, or velocities) and adverse erosion and sedimentation impacts, the Project will implement a storm drain design with flood control facilities sized to handle the Project-specific post-development conditions. A Project-Specific Preliminary Hydrology Report indicates that existing offsite flows that enter the site from the north shall be collected within the northerly portion of the site and directed to historical path easterly. A 5' high rip rap channel wall has been designed to direct off-site flows largely into their existing flow patterns. The Project is designed with an on-site stormwater retention system that during the life of the Project will comply with the City's drainage requirements by preventing site discharge and transport of untreated runoff. All onsite project flows will drain through a series of gutters, catch basins and pipes and will terminate within project-graded retention basin which has been preliminarily sized to provide sufficient storage for the incremental

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increase resulting from the 100-year controlling storm event and to prevent concentrated conveyances, erosion and siltation conditions. The Project will be required to comply with the Stormwater Management and Discharge Controls per Chapter 13.08 of the Desert Hot Springs Municipal Code (Ordinance #1997-03). Moreover, 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 proposed grading and hydrology improvement plans will be subject to agency review and approval to ensure that the proposed grading and drainage conditions are acceptable to the City and other regulatory agency standards. In addition, the Project proponent shall through agency consultation (including but not limited to the City of Desert Hot Springs, Army Corps of Engineers, and California Department of Fish and Wildlife) determine if streambed alteration permits are necessary. As a result, following implementation the Project is not anticipated to alter any local drainage course, stream or wash in a manner that would result in erosion or siltation on- or off-site.

Mitigation Measures: None

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

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Discussion:

As previously discussed, the proposed Project would introduce impervious surfaces (hardscape, asphalt, rooftops, etc.) to a presently undeveloped (pervious) ground condition. In particular, it is expected that approximately 82 percent of the post-development Project condition will consist of impervious coverage. This conversion would normally result in a site-specific increase in the rate and quantity of surface runoff. To manage this on-site condition, the Project includes a proposed storm drain design (subject to approval by the City Engineer) with surface conveyances draining into a retention facility. These facilities will be sized to accept and infiltrate the worst-case increase in runoff volume between the pre- and post-development condition resulting from the 100-year controlling storm event.

Only runoff quantities in excess of the storm drain system capacity will be allowed to leave the site at evenly distributed points and in a manner consistent with the historic drainage conditions. Existing offsite flows that enter the site from the north shall be directed at the northerly portion of the site and into the historical path easterly by a 5-foot concrete channel wall. Furthermore, the Project involves street improvements with curb and gutter at the frontages on Little Morongo Road and 13th, which will address the unimproved frontage condition that is presently observed. This aspect of the Project will introduce engineered surface stability to the previously unimproved road shoulders by intercepting and properly conveying off-site flows toward the existing and future street improvements. Based on these factors, the Project is not expected to alter any existing drainage pattern. Less than significant impacts are expected.

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Mitigation Measures: None

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

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Discussion:

The undeveloped Project property does not contain any private stormwater drainage facilities, but is located within the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4), of which, the City of Desert Hot Springs is a permittee. Based on the local natural topography, runoff from the developed and undeveloped portions of the property would have the propensity to sheet-flow toward the south and southeast, before reaching the Big Morongo Wash, 1,700 feet to the east. The proposed development involves a stormwater drainage system incorporated into the site plan and grading design allowing on-site runoff to drain into a proposed retention basin while properly intercepting and routing off-site street frontage flows to their respective street conveyances. The grading design and improvement plans, which are subject to City review and approval, would ensure the Project's post development runoff flow rates, volumes, velocities, and durations do not exceed the pre-development condition and therefore would not result in impacts to the receiving MS4. Less than significant impacts relative to runoff water are expected.

Mitigation Measures: None

- f) Otherwise substantially degrade water quality?

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Discussion:

As a standard condition, the Project proponent is 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 proposed on-site storm drainage system includes underground retention/infiltration chambers sized to collect and percolate the worst-case incremental increase in stormwater volume resulting from the 100-year controlling storm event. As a result, the Project design would prevent any substantial increase in the rate, velocity, or quantity of runoff generated in the proposed facility compared to the existing undeveloped condition. Runoff that exceeds the worst-case increase will be allowed to leave the site at evenly distributed outlets, similar to the historic drainage condition. 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.

Through this required compliance, the Project will prevent impacts to the local receiving waters and avoids Project violations to the established water quality standards and waste discharge requirements. As a standard condition for new development Projects, the Project-Specific WQMP must be submitted

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

Mitigation Measures: None

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☐ ☐ ☒

Discussion:

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

Mitigation Measures: None

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

Discussion:

The Federal Emergency Management Agency (FEMA) evaluates potential flood hazards for the City. The FEMA Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying those potential hazards and determining the need for and availability of federal flood insurance. According to FIRM panel 06065C0885G, effective August 28, 2008, the entire Project and its immediate surroundings are located within Zone AO and is identified as being subject to inundation by the 1-percent-annual-chance storm. As discussed previously, the entire Project area is subject to two distinguished flooding conditions, based in part on the proximity to the Big Morongo Wash. In particular, the westerly 2.8 acres of the Project can potentially be affected by an average flood depth of three (3) feet and a velocity of five (5) feet per second. The remaining easterly 6.48 acres of the Project are subject to an average flood depth of three (3) feet and a velocity of eight (8) feet per second. The average flood depths are derived from detailed hydraulic analyses by FEMA. Mandatory flood insurance purchase requirements and floodplain management standards apply to all development.

This floodplain condition is not specific to the Project site and is representative of a large portion of the Light Industrial land use district. As mentioned previously a Project-Specific Preliminary Hydrology Report indicates that existing offsite flows that enter the site from the north shall be redirected at the northerly portion of the site and into the historical path easterly. A 5' high rip rap channel wall has been designed to direct off-site flows. The Project does not exhibit any on-site distinct drainage patterns subject to permitting or special hydrologic considerations. As such, the proposed flood control improvements focus

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on handling the base flood depths and known velocities, rather than any defined drainage pattern. Stormwater runoff generated by the Project would be managed by a storm drainage system with the capacity to retain the incremental increase in runoff volume between the pre- and post-construction conditions resulting from the 100-year controlling storm event.

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

Mitigation Measures: None

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levy or dam?

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Discussion:

The Project is not located near an existing levee or dam; therefore, no impacts are expected pertaining to this topic. The Project is located within a 100-year flood zone based on FEMA FIRM panel 06065C0885G, effective August 28, 2008. The Project is expected to provide the appropriate site improvements to protect the proposed structure without increasing the risk of flooding. Following review and approval of channel lining, less than significant impacts are expected relative to substantial erosion or siltation on or offsite.

Mitigation Measures: None

- j) Inundation by seiche, tsunami or mudflow?

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Discussion:

The Project site is not located near a body of water that would pose potential seiche or tsunami impacts. The Project site is underlain by Hydrologic Soil Type "A", which is characterized for having a high infiltration rate (low runoff potential) when thoroughly wet. Type "A" soils consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission. Combined with the relatively shallow gradients that characterize the vicinity, the erosive nature and mudflow potential is reduced. The proposed site plan includes retention facilities sized to contain the worst-case scenario runoff volume difference between pre- and post-development conditions. Only flows in excess of the Project's retention requirements would be allowed to exit the Project area, therefore, less than significant impacts are expected.

Mitigation Measures: None

X. LAND USE AND PLANNING - Would the Project:

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

Discussion:

The Project site sits on approximately 9.27 acres of vacant desert land situated east of Little Morongo Road and north of the unimproved alignment of 13th Avenue. The site is zoned Light Industrial (I-L) which provides for business parks and the development of light industrial uses, as designated by the City of Desert Hot Springs.

The property to the north, east, and west is vacant land. To the south of the subject property the Green Horizons marijuana facility is being constructed. The property and land to the north and south of the subject property is zoned I-L. To the west of the subject property is Little Morongo Road of which the centerline delineates the City boundary. County land west of Little Morongo includes partially developed single-family residential lots zoned for Medium Density Residential according to the County of Riverside General Plan. There is scattered residential development to the west of the subject property; the nearest residential structure is located approximately 280 feet to the southwest of the Project site in the unincorporated area in the County of Riverside.

The Project proposes to construct two one-story buildings specifically geared for cultivation and processing of marijuana. The two northerly buildings will be about 63,980 square feet. Upon completion, the Project will have an approximate total building area of 127,960 square feet. Though not a part of the proposed Project, this study also evaluates the impacts of an additional future southerly building of a maximum of 40,572 square feet. At total buildout, including this future building, the approximate total building area for the three buildings will be approximately 169,000 square feet. The proposed Project is consistent with the surrounding light industrial land uses and the city's Land Use and Zoning designations.

There is no established community pattern in the Project vicinity that would be divided by the proposed Project. Less than significant impacts relative to the division of an established community are expected.

Mitigation Measures: None

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| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The applicant is processing a Conditional Use Permit to construct facilities for the indoor cultivation and processing of marijuana. The Project is zoned Light Industrial; this zone is intended to accommodate all industrial uses operating entirely in enclosed buildings, requiring limited and screen-able outdoor storage

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space and cannabis cultivation and processing facilities. The Project site is largely segregated from the City's intense residential and commercial uses and is consistent with the City's General Plan land use designation. There is scattered residential development to the west of the subject property; the nearest residential structure is located approximately 280 feet to the southwest of the Project site in the unincorporated area in the County of Riverside. The Green Horizons marijuana facility is being constructed directly to the south of the subject property. The Project is located within an industrial district in the City. It is considered consistent with the permitted locations established under Municipal Code Chapter 17.180.

The Project includes approval of a Conditional Use Permit (Municipal Code 17.180.090) and Regulatory Permit (Municipal Code Chapter 5.50) to thoroughly evaluate the design and operation of the proposed facility and render it in full compliance with City regulations. In addition, all cannabis cultivation and processing operations and any related activities, such as transportation, manufacturing, and testing, would be subject to existing and proposed State laws including the Compassionate Use Act of 1996 (California Health and Safety Code Sections 11362.7 through 11362.83), the California Attorney General's Guidelines for the Security and Non-Diversion of Marijuana Growth for Medical Use (issued in August, 2008), and any future state laws that may be adopted.

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

Mitigation Measures: None

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

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Discussion:

The Project lies within the boundary of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). According to the Habitat Conservation maps, the site is not designated for conservation purposes; however, the site is bordered to the east by the Morongo Wash Special Provisions Area. Therefore, any development of the Project site is subject to the Land Use Adjacency guidelines which have been established to avoid or minimize the indirect effects of development adjacent to Conservation Areas (or "edge effects").

The CVMSHCP Land Use Adjacency guidelines divide potential edge effects into five (5) categories: Drainage, Toxics, Lighting, Noise, and Invasives. Any future development of the subject Property will require additional environmental review as well as adherence to the CVMSHCP Land Use Adjacency Guidelines. Per the guidelines, stormwater systems will be reviewed and approved and will ultimately return to historic patterns to avoid altered runoff into conservation area. To avoid toxics edge effects, the Project includes measures to ensure the application of chemicals does not result in any discharge to adjacent conservation area. To avoid lighting edge effects, all onsite lighting will be shielded and directed toward the developed area, minimizing the effects of lighting adjacent to or within the adjacent conservation area. The proposed development will not generate noise in excess of 75 dBA Leq hourly, minimizing the effects of noise on the adjacent conservation area, in accordance with the guidelines to be included in the Implementation Manual. Project landscaping will not incorporate the use invasive, non-native plant species to avoid invasive species edge effects.

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Mitigation Measures: None

XI. MINERAL RESOURCES -- Would the Project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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Discussion:

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

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

The Project site is adjacent to the Upper Mission Creek/Big Morongo Canyon Wash. These drainage courses have conditions where sand and gravel deposits may occur, but they are located within designated Conservation Areas of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and therefore are not an accessible mineral resource site. Additionally, the land use designation for the site is not compatible with mining operations.

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

Mitigation Measures: None

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

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Discussion:

Mineral resources that are known to exist in the Coachella Valley region primarily consist of sand and gravel (aggregate) typically deposited along and near local drainages. Aggregate material is deemed necessary to the local building industry as a component of asphalt, concrete, road base, stucco and plaster. Local or regional construction industries tend to be dependent on readily available aggregate deposits within reasonable distance to the market region. The Project site is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, City of Desert Hot Springs

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

Mitigation Measures: None

XII. NOISE -- Would the Project result in:

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

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Discussion:

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

The 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 based on sensitivity and compatibility. In general, land uses with a higher sensitivity to noise (residential, schools, libraries, churches, hospitals, nursing homes and recreation) are assigned lower ambient noise thresholds than land uses deemed less sensitive (industrial and commercial). In Table V-2 of the Noise Element of the City of Desert Hot Springs, 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.

As discussed previously, the Project property forms part of an undeveloped portion of the light industrial district in the City of Desert Hot Springs. This section of the City has been designated in the City's General Plan to support business parks and light industrial uses. The Noise Element of the City's General Plan identifies vehicular traffic as the principal source of noise in the community. To understand and evaluate the impacts of land use patterns, traffic and individual developments on the noise environment, a variety of data has been collected and future buildout impacts have been modeled, as part of the General Plan preparation. Computer models and simulations were used to calculate the transportation noise environment along major roadways based upon the operating characteristics and traffic volumes. Table V-5 of the Noise Element identifies the projected noise contours along major roadways at General Plan Buildout. This table provides measurements for segments of Little Morongo Road and Two Bunch Palms Trail. As a result, the nearest noise projections are provided. Along Little Morongo Road (south of Two Bunch Palms Trail), the projected exterior noise levels of 70 dBA can be detected at approximately 166 feet from the street centerline, while the 65 dBA and 60 dBA can be detected at 350 feet and 750 feet

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respectively from the centerline. Along Two Bunch Palms Trail (west of Palm Drive), the projected exterior noise levels of 70 dBA can be detected at approximately 60 feet from the street centerline, while the 65 dBA and 60 dBA can be detected at 125 feet and 267 feet respectively from the centerline.

The construction activities of the Project are expected to generate short-term noise increases compared to the existing levels. A temporary incremental increase in noise levels along local roadways is expected to occur during the transport of workers and equipment to and from the site. Noise increases will also be generated by the actual on-site construction activities. As a standard requirement, the Project is expected to abide by the Municipal Code regulations on construction hours, which limit activities to the less sensitive times of the day. 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. During construction, the Project is also expected to follow common industry standards that will help limit noise level increases. For example, 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 to reduce backfires.

The Project property is located at the northeast corner of Little Morongo Road and the unimproved alignment of 13th Avenue. Thus, it is not located within close proximity to a high-traffic roadway particularly known to be a primary noise generator. The forecasted noise conditions previously discussed are principally based on the expected traffic conditions at buildout of the General Plan. However, recent traffic data available for the Project vicinity from the 2017 CVAG Traffic Census Report indicates that the while the number of average daily trips (ADT) has increased in the 18 years since the approval of the General Plan, the General Plan buildout traffic conditions have not been reached. In particular, the 2017 ADT along comparable segments of Little Morongo Road represents between 9 and 15 percent of the General Plan buildout conditions. As such, the recent noise conditions on Little Morongo Road would be a proportional fraction of the noise level conditions that could be experienced at the Project. The Project's long-term contribution of ADT to the local road system is not expected to represent a considerable increase, such that considerable noise level increases would occur.

During the life of the Project, all cultivation operations shall be conducted in the interior of enclosed structures, facilities, and buildings, as mandated by the local zoning ordinance. All cultivation operations, including materials management, will occur indoors and within the fenced limits. Outdoor activities will be limited. These include vehicular access and circulation in the Project's parking lot and drive aisles; access to the trash enclosures for waste management (disposal and pick-up); access to the outdoor utilities for maintenance purposes (e.g. chillers, septic or sewer systems, storm drain system components). While the Project would result in an increase in noise levels compared to the existing undeveloped condition, the nature and intensity of operations that would occur in the proposed structures are not expected to result in the generation of noise levels that would surpass the community noise and land use compatibility standards. The Project is expected to result in an incremental increase in traffic-related noise levels on the local roadways and less than significant impacts are expected.

Mitigation Measures: None

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| 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"/> |

Discussion:

Groundborne vibration also referred to as earthborne vibration, can be described as perceptible rumbling, movement, shaking or rattling of structures and items within a structure. Groundborne vibration can 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 does not result in the degree of disturbance that is experienced inside a building. Groundborne vibration can be measured in terms of amplitude and frequency or vibration decibels (VdB). Trains, buses, large trucks and construction activities that include pile driving, blasting, earth moving and heavy vehicle operation commonly cause these vibrations. Other factors that influence the disturbance of groundborne vibration include distance to source, foundation materials, soil and surface types.

The Project is surrounded by a combination of vacant, conservation, and developed land. The Green Horizons marijuana facility is under construction directly to the south of the Project. There is scattered residential development to the west of the subject property; the nearest residential structure is located approximately 280 feet to the southwest of the Project site outside of the City's jurisdiction in the Riverside County Unincorporated area. The existing source of groundborne vibration is attributed to the circulation of large vehicles and trucks along Little Morongo Road.

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. The short-term delivery of materials and equipment to the construction site by trucks would incur temporary increases in groundborne vibration on local streets. Operation of construction equipment would be strictly limited to the fenced limits of construction.

During the life of the Project, all routine Project operations will occur within the proposed structure and during the permitted hours, as mandated by the local ordinance and conditioned by the City. The routine operation of vehicles accessing the Project would cause an incremental increase in groundborne vibration, but not in levels that would be deemed inconsistent with the existing industrial setting or substantial in nature. Less than significant impacts related to excessive groundborne vibration noise levels are expected.

Mitigation Measures: None

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| 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"/> |
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Discussion:

The Project property and most of its surroundings are undeveloped and therefore do not represent an existing source of ambient noise. As previously discussed, current noise levels are primarily attributed to traffic conditions along local streets, but none of these are identified by the City as being a high-traffic roadway or a primary noise generator. The current traffic-dependent noise levels represent a relatively

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small share of the forecasted noise conditions at buildout of the General Plan. The Project's contribution of vehicle trips to the local roadways can be estimated at 3 ADT per employee. Therefore, the Project's expected total of approximately 75 employees at full operation would represent approximately 225 ADT contributed to the local road system. Such contribution and proportional increase in traffic-related noise is not expected to reach or exceed the forecasted General Plan buildout conditions and therefore result in a substantial increase in ambient noise above levels existing without the Project. Noise resulting from the Project cultivation and processing operations is anticipated to be largely contained in the proposed structures, as these are not permitted outside. The dispersed residential uses northwest and southwest of the Project site, on the west side of Little Morongo Road, outside of the City's jurisdiction, would not incur a considerable increase of noise attributed to the Project operations. Less than significant impacts related to permanent increase in ambient noise levels are expected.

Mitigation Measures: None

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

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Discussion:

As discussed previously, the proposed cultivation site will produce a temporary increase in ambient noise levels during construction. Temporary sources of construction-related noise would occur during the transport of workers, materials and equipment to the site, as well as the on-site construction operations. During Project site preparation, grading and construction, the contractors will be expected to utilize properly maintained construction equipment consistent with the manufacturer's standards. Construction activities are required to take place within the designated construction area and within the hours established by the City of Desert Hot Springs. Less than significant impacts related to temporary or periodic ambient noise levels are expected.

Mitigation Measures: None

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

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Discussion:

The Project is located approximately 7.5 miles north of the Palm Springs International Airport and is not located within its airport land use plan. No impacts are expected to result related to projects located within an airport land use plan.

Mitigation Measures: None

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| f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

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

Mitigation Measures: None

XIII. POPULATION AND HOUSING – Would the Project:

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| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The Project applicant seeks a Conditional Use Permit (CUP) for the development of a facility for the indoor cultivation and processing of marijuana. The proposed facility will be specialized for the indoor cultivation of medical marijuana on a 9.27 acre site. The Project is compatible with operations and uses permitted in the Light Industrial (I-L) zone with the approval of the CUP. Per the applicant, the facility is estimated to staff approximately 75 employees working various shifts with the City's allowed operational hours. The proposed Project may encourage relocation for employment. However, considering the facility's purpose and comparison with other light industrial uses, employment generated through these facilities would not be substantial. The Project does not have a residential component and improvements to roads and other infrastructure will be associated with the cultivation and processing facility and would not induce substantial growth to the area. Less than significant impacts are expected.

Mitigation Measures: None

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| 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"/> |
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Discussion:

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

Mitigation Measures: None

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

Mitigation Measures: None

XIV. PUBLIC SERVICES

- 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:

Fire protection?

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Discussion:

The City of Desert Hot Springs contracts with Riverside County Fire Department/Cal Fire (RCFD) for a full range of fire protection services provided 24 hours a day, 7 days a week. The RCFD is staffed with a combination of County and State of California Department of Forestry & Fire Protection employees. They operate 94 fire stations that serve approximately two million residents over 7,004 square miles of Riverside County. The City of Desert Hot Springs has three RCFD fire stations, Battalion 10, Station 36, located at 11535 Karen Avenue is approximately 2.5 miles from the Project site. Battalion 10, Station 37 is the City's busiest fire station and is located at 65-958 Pierson Blvd, approximately 1.5 miles from the proposed Project. The third station, Battalion 10, Station 57, is located at 72985 Dillon Road, and is about 8 miles away from the Project's facility. Each station is 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 facilities located in the Coachella Valley, the department maintains a cooperative mutual aid agreement with other agencies and communities to assist in suppressing fire or controlling emergency incidents. Mutual aid is an agreement among emergency responders to lend assistance across jurisdictions provided resources are available and is not to the detriment of their own service area. Per the City's General Plan, agreements are in place with both Palm Springs and Cathedral City. These cities provide their own fire services and do not contract with RCFD/Cal Fire.

The Project proposes the development of three one-story buildings and associated improvements on a 9.27 gross-acre site. The Project site will be secured with wrought iron or tubular steel fencing. At buildout, the facility will have an approximate total building area of 169,000 square feet.

Development of the Project increases demand on fire services, however based on the site proximity to the City's existing fire stations, the proposed Project could be adequately served without the expansion of a new fire facility and adequate response times would be met. Additionally, the Project would be

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

Mitigation Measures: None

Police protection?

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Discussion:

Police services are provided to the Project area by the Desert Hot Springs Police Department. The police department operates out of a single location and is located at 65-950 Pierson Blvd, approximately 1.44 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.

As previously discussed, the Project proposes the development of three one-story buildings and associated improvements on a 9.27 gross-acre site. The Project site will be secured with wrought iron or tubular steel fencing. At buildout, the facility will have an approximate total building area of 169,000 square feet.

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

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 and adequate response times would be met. Furthermore, the Project will be reviewed by City and Police officials to ensure adequate police service and safety as a result of Project implementation. The Project will also be required to comply with the City's Development Impact Fees (DIF) to assist with the funding of public facilities and services, including police, therefore, less than significant impacts are expected.

Mitigation Measures: None

Schools?

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Discussion:

The proposed Project falls under the Palm Springs Unified School District (PSUSD). Development of the Project would not create a direct demand for school service. The Project proposes the development of three one-story buildings and associated improvements on a 9.27 gross-acre site. At buildout, the facility will have an approximate total building area of 169,000 square feet specialized for the indoor cultivation

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and processing of marijuana. Employment generated by the Project would not be expected to draw a substantial number of new residents that would generate school age children requiring public education or substantially alter school facilities or the demand for public education and no new facilities would need to be constructed. Additionally, any future development will be required to pay PSUSD developer impact fees to assist in offsetting impacts to school facilities. At the time of writing, current development fees are \$3.79 a square foot for residential and \$.61 a square foot for commercial projects. Less than significant impacts to school services are expected.

Mitigation Measures: None

Parks?

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Discussion:

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

Mitigation Measures: None

Other public facilities?

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Discussion:

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

Mitigation Measures: None

XV. RECREATION

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

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Discussion:

As previously discussed the Project proposes to construct a marijuana facility specifically geared for indoor cultivation and processing of marijuana. Properties immediately to the north and east are in a vacant state with similar conditions to those found on-site. No residential land uses are proposed and the approximate 75 employees working various shifts would not cause a substantial increase to the current

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existing neighborhood community, regional or pocket parks. Therefore, no impacts are expected relative to use or deterioration of existing parks.

Mitigation Measures: None

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

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Discussion:

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

Mitigation Measures: None

XVI. TRANSPORTATION/TRAFFIC -- Would the Project:

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

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Discussion:

The Project proposes to construct a marijuana facility for the purposes of indoor cultivation and processing with supporting infrastructure improvements on approximately 9.27 acres in accordance with City Ordinance 552 and 553. The property is zoned Light Industrial; this zone is intended to provide for any and all industrial uses operating entirely in enclosed buildings, and those requiring limited and screen-able outdoor storage space. The Project site is largely segregated from the City's intense residential and commercial uses. This is consistent with the City's General Plan land use designation.

The proposed cultivation facility is located on the northeast corner of Little Morongo Road and the unimproved alignment of 13th Avenue. The Project site will have three gated entry points, one for primary access, and two for emergency and secondary access. The primary access point will be located on the west side of the property on Little Morongo Road. One emergency/secondary access gate will also be located on Little Morongo Road, on the northern portion of the site. The second emergency/secondary access gate will be located on the south side of the property on the currently unimproved alignment of 13th Avenue. Little Morongo Road is currently paved with no curb or gutter. Thirteenth Avenue is currently unpaved with no curb or gutter.

The site will be entirely enclosed within perimeter security fencing. The gated entry/exit drives will control vehicular access onto and off the property. A paved surface is proposed for the main drive aisles and

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parking areas. The Project will be developed in one Phase. Circulation and parking will be consistent with City parking standards as determined by City Staff.

Operations are anticipated to be similar to that of a standard wholesale nursery. Hours will be consistent with Ordinance 552. 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 outside of operation hours.

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

Little Morongo Road is designated as a Major Collector, with a proposed 100 ft right-of-way, 4 lanes divided with no on-street parking. The General Plan roadway designations are determined based on projected traffic numbers associated with land use. The proposed Project is consistent with the General Plan Land Use Designation. The proposed Project will be conditioned to improve the adjacent portion of Little Morongo Road to its ultimate condition. The improvements are identified as a half-width (50 ft.) section, including paving, gutter, sidewalk and landscaped parkway. Final Street Improvement Plans will be reviewed and approved by the City.

The Circulation Element of the City's General Plan indicates that the Little Morongo Road segment located adjacent to the western boundary of the Project had an ADT of 1,922 in 1994.

In 2017 the CVAG Traffic Census Report indicated an ADT of 4,007 for Little Morongo Road South of Pierson. While the traffic census counts demonstrate that ADT on Little Morongo Road has increased since the 1994 levels, street improvements have been designed to accommodate those conditions. Exhibit III-3 of the General Plan Buildout Traffic Projections indicates that this segment of roadway will accommodate 30,100 ADT. Table III-10 of the GP EIR Preferred Land Use Alternative Daily Traffic Volumes at Buildout indicates that Little Morongo Road between Pierson Blvd and Dillon Road will function with an LOS of D with the proposed improvement to a Major Collector.

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The Project is anticipated to have a maximum of approximately 75 employees. With an assumed 3 ADT per employee, total trips associated with the Project are estimated to add approximately 225 ADT to the local roadway system. This total is approximately 0.75% of the projected 30,100 ADT. With the construction of the improvements along the Project frontage, this increase will not significantly impact the LOS of Little Morongo Road.

The proposed cultivation facility will function as a specialized operation that is representative of nurseries with wholesale distribution components. Prior to approval, the proposed site circulation, including offsite street design standards and the Project's fair share portion of offsite street improvements will be reviewed by the City as part of the site and conditional use analysis. As a Standard Condition, the applicant shall complete adjacent roadway improvements as designated by the General Plan.

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

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

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

Mitigation Measures: None

- b) Conflict with an applicable congestion Management Program, including, but but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

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Discussion:

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

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

Mitigation Measures: None

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| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

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

Mitigation Measures: None

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| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The proposed marijuana cultivation facility is a permissible facility within the existing Light Industrial district located on and around Little Morongo Road. In its current condition, the undeveloped Project property is bordered by the paved alignment of Little Morongo Road to the west, and San Jacinto Lane to the north.

To provide proper access to the facility, off-site design and the proposed off-site improvements include street paving on portions of Little Morongo Road and San Jacinto Lane along the Project's frontage. Circulation design will undergo City and Fire Department review before approval to ensure that the local development standards for roadways, in interior and exterior circulation designs, are met without resulting in traffic safety impacts including hazardous design features. The Project will not include sharp curves or

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dangerous intersections. No incompatible uses will result from the proposed Project.

A traffic control plan will be prepared prior to construction to reduce the potential for temporary hazards associated with construction activities. This requirement will work to coordinate traffic associated with the facility staff, construction traffic and existing users along Little Morongo Road. All Project plans shall be reviewed and approved by the City Engineering Department. Impacts are expected to be less than significant.

Mitigation Measures: None

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

Discussion:

The proposed Project will provide adequate access to emergency response vehicles, as required by the City of Desert Hot Springs and in accordance with the Fire Department review and requirements. Site plan review would include in-depth analysis of emergency access to the site to ensure proper access to facilities. As mentioned previously, the proposed site plan provides three vehicular access points. The primary point of access will be on San Jacinto Lane. One emergency access will also be located on San Jacinto Lane to the north of the main entrance and the other emergency access will be on Little Morongo Road. The design details of the vehicular driveways will be reviewed and approved by the Fire Department and the City.

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 Little Morongo Road within the required rights-of-way and according to the City's designated street standards.

Following implementation of standard conditions, the Project is anticipated to result in less than significant impact related to emergency access.

Mitigation Measures: None

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

Discussion:

SunLine Transit Agency provides bus services to the City of Desert Hot Springs through Lines 14, 15 and 20. Line 20 serves Desert Hot Springs on weekdays only. Line 14 and 20 are the nearest routes to the Project. One bus stop, serviced by Lines 14 and 20, is found in the vicinity of the Project and located approximately 1.50 miles in driving/biking distance to the southeast at the intersection of Two Bunch Palms Trail and Palm Drive. The nearest bus stop for Bus Line 15 is located 3.5 miles in driving/biking distance to the east of the Project at the Intersection of Palm Drive and Hacienda Avenue.

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SunLine Transit Agency buses are wheelchair accessible and include bicycle racks accommodating 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 bus stop facilities. Less than significant impacts are anticipated.

If future demand warrants, expansion of available services may be appropriate. Transit services are monitored by both the City and SunLine. Additional services are periodically considered in response to anticipated increase in use.

The proposed Project would improve pedestrian mobility by incorporating pedestrian sidewalks along the frontage of Little Morongo Road and 13th Avenue where currently none exist. The widening and improvements of the roadways do not include bicycle lanes, however improvements resulting from the Project are expected to enhance, rather than obstruct or conflict with, the City's established goals on bicycle transportation or with any existing facilities. Less than significant impacts are expected.

Mitigation Measures: None

XVII. TRIBAL CULTURAL RESOURCES -- Would the Project:

- a) Would the Project cause a substantial Adverse change in the significance of a Tribal cultural resource, defined in Public Resource Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local Register of historical resources as defined in Public Resource Code Section 5020.1(k), or: ☐ ☒ ☐ ☐

Discussion:

As previously discussed, CRM Tech conducted a Project and site-specific study on historical and archaeological resources. The assessment included a records search, Native American scoping, historical background research and an intensive-level field survey. The investigators, during the field survey, did not encounter onsite buildings or structures. Eleven historical/archaeological sites were previously recorded outside the Project area but within a one-mile radius. One of the eleven sites was of prehistoric Native American origin; the remaining sites dated to the historic period and included refuse scatters. Per the Cultural Report, none of these previously recorded cultural resources was found in the immediate vicinity of the Project area, and none of them requires further consideration during this study.

Furthermore, the Native American Heritage Commission (NAHC) sacred lands record search did not indicate the presence of Native American resources within Project area. The NAHC did, however,

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recommend that additional local Native American groups be contacted for further information. Upon receiving the NAHC's response, CRM Tech sent written requests for comments to all 12 Tribes of Cahuilla and Serrano heritage on the referral list. The Twenty-Nine Palms Band of Mission Indians, whose reservation lies partially in the Coachella Valley, was also contacted.

In some cases, CRM TECH contacted the tribes' designated spokespersons on cultural resources issues in addition to or in lieu of individuals recommended by the NAHC, as recommended in the past by the appropriate tribal government staff.

Six tribal representatives responded in writing, and half stated that their respective Tribes have no specific information on any sites of Native American traditional cultural value in the Project area. The Tribal Historic Preservation Office of the Agua Caliente Band of Cahuilla Indians and the Morongo Band claimed the Project location as a part of their tribe's traditional use area. The Agua Caliente Tribal Preservation Office and the Morongo Band both requested that proper protocol be observed if human remains are unearthed inadvertently during earth-moving activities associated with the Project. Further consultation regarding the Project, between the Tribe and the City of Desert Hot Springs was requested by the Augustine Band, as well as proper treatment of cultural remains discovered during the Project. Following implementation of the recommended mitigation measures, less than significant impacts are expected.

Mitigation Measures:

TCR-1: Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Desert Hot Springs that Native American Tribal Representatives received a minimum of 30 days advance notice of all mass grading and trenching activities, and provide evidence of monitoring agreements between the Applicant and the Tribes. The Native American Tribal Representatives shall be notified a minimum of 48 hours in advance and allowed to attend the pre-grading meeting with the City and project construction contractors and/or monitor all project mass grading and trenching activities. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

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Discussion:

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

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taking into consideration the significance of the resource to a California Native American Tribe.

As previously discussed, CRM Tech conducted a Project and site-specific study on historical and archaeological resources. The assessment included a records search, Native American scoping, historical background research and an intensive-level field survey. The investigators, during the field survey, did not encounter onsite buildings or structures. Eleven historical/archaeological sites were previously recorded outside the Project area but within a one-mile radius. One of the eleven sites was of prehistoric Native American origin; the remaining sites dated to the historic period and included refuse scatters. Per the Cultural Report, none of these previously recorded cultural resources was found in the immediate vicinity of the Project area, and none of them requires further consideration during this study.

Furthermore, the Native American Heritage Commission (NAHC) sacred lands record search did not indicate the presence of Native American resources within Project area. The NAHC did, however, recommend that additional local Native American groups be contacted for further information. Upon receiving the NAHC's response, CRM Tech sent written requests for comments to all 12 Tribes of Cahuilla and Serrano heritage on the referral list. The Twenty-Nine Palms Band of Mission Indians, whose reservation lies partially in the Coachella Valley, was also contacted.

In some cases, CRM TECH contacted the tribes' designated spokespersons on cultural resources issues in addition to or in lieu of individuals recommended by the NAHC, as recommended in the past by the appropriate tribal government staff.

Six tribal representatives responded in writing, and half stated that their respective Tribes have no specific information on any sites of Native American traditional cultural value in the Project area. The Tribal Historic Preservation Office of the Agua Caliente Band of Cahuilla Indians and the Morongo Band claimed the Project location as a part of their tribe's traditional use area. The Agua Caliente Tribal Preservation Office and the Morongo Band both requested that proper protocol be observed if human remains are unearthed inadvertently during earth-moving activities associated with the Project. Further consultation regarding the Project, between the Tribe and the City of Desert Hot Springs was requested by the Augustine Band, as well as proper treatment of cultural remains discovered during the Project. Following implementation of the recommended mitigation measures, less than significant impacts are expected.

To ensure that all significant Tribal Resources are identified and fully considered, AB 52 Consultation was conducted by the City of Desert Hot Springs from _____, 2018 to _____, 2018.

Mitigation Measures: CR-4 and TCR-1

XVIII. UTILITIES AND SERVICE SYSTEMS -- Would the Project:

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

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Discussion:

The Project falls under the Mission Springs Water District's (MSWD) sewer service area. Public sewer and water is provided to the Project area by the Mission Springs Water District. MSWD operates two wastewater treatment plants serving 7,300 parcels and a population of approximately 20,400. The Horton

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Wastewater Treatment Plant (Horton WWTP), located on Verbena Drive about a half mile south of Two Bunch Palms Trail, has a capacity of 2.3 million gallons per day (mgd) (2,800 AFY). The Project is proposing a facility specialized for the indoor cultivation and processing of marijuana with a total buildout of 169,000 square feet; wastewater is expected to be accommodated by the MSWD sewer system. The Project is not expected to exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). In addition, City and other local and governmental agency review will ensure compliance with all current and applicable wastewater treatment requirements. Less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

MSWD provides domestic water and wastewater service in the Project vicinity. The site is currently vacant and undeveloped land and currently served by existing utilities. Infrastructure for water is available through Little Morongo Road. The Project proposes to connect to the existing infrastructure consisting of a water and a sewer line.

MSWD currently provides sewer service to the west of the Project in Little Morongo Road. The Project will be required to meet the Regional Water Quality Control Board (RWQCB) standards and to comply with MSWD and Riverside County Environmental Health.

Water and sewer connection fees in place at the time of development or connected would be collected by MSWD. Therefore, no new or expanded treatment facilities are anticipated as a result of project implementation and less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

The flood plain in the Project vicinity has a FEMA Zone AO designation, deemed subject to inundation by the 100-year (1-percent-annual-chance) flood and an average velocity of 5 feet per second. The Zone AO plane designation encompasses undeveloped and developed properties. Project implementation would involve permanent site improvements on approximately 9.27 acres, therefore introducing impervious surfaces in the form of buildings, paving, and hardscape to the previously undeveloped (pervious) land. The nature of the Project requires ample utilization of the entire property to accommodate

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the proposed facilities and operations (parking lot, drive aisles, structures, etc.)

To prevent changes to local drainage conditions (patterns, quantities, or velocities) and adverse erosion and sedimentation impacts, the Project will implement a storm drain design with flood control facilities sized to handle the Project-specific post-development conditions. A Project-Specific Preliminary Hydrology Report indicates that existing offsite flows that enter the site from the north shall be collected within the northerly portion of the site and directed to historical path easterly. A 5' high rip rap channel wall has been designed to direct off-site flows largely into their existing flow patterns. The Project is designed with an on-site stormwater retention system that during the life of the Project will comply with the City's drainage requirements by preventing site discharge and transport of untreated runoff. All onsite project flows will drain through a series of gutters, catch basins and pipes and will terminate within project-graded retention basin which has been preliminarily sized to provide sufficient storage for the incremental increase resulting from the 100-year controlling storm event and to prevent concentrated conveyances, erosion and siltation conditions.

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

Mitigation Measures: None

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

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Discussion:

Groundwater is the primary source of domestic water supply in the Coachella Valley; the Mission Springs Water District (MSWD) provides potable water to the City by extracting groundwater from the Mission Creek Subbasin. The existing MSWD distribution system consists 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 2015 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 9 active 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 2015 UWMP states the Mission Springs Subbasin is currently in overdraft condition. MSWD, DWA, and CVWD now jointly manage the Mission Creek Subbasin under the terms of the Mission Creek Settlement Agreement (December, 2004). This agreement and the 2003 Mission Creek Groundwater Replenishment Agreement between CVWD and DWA specify that the available SWP water 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. In 2014, production from the Mission Creek Subbasin was about 7.4 percent of the combined production from these two Subbasins.

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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 as well as on-site stormwater infiltration. The Project proposes to connect to the existing water main along Little Morongo Road. Additional domestic water improvements necessary to serve this development will be identified by MSWD and included as conditions of approval by the City of Desert Hot Springs during the City's standard review process. Less than significant impacts to water supply are expected.

Mitigation Measures: None

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

Discussion:

MSWD operates two wastewater treatment plants serving 7,300 parcels and a population of approximately 20,400. The Horton Wastewater Treatment Plant (Horton WWTP), located on Verbena Drive about a half mile south of Two Bunch Palms Trail, has a capacity of 2.3 million gallons per day (mgd) (2,800 AFY). As part of the overall sewer improvements, MSWD has installed approximately 65,700 linear feet of sewer since 2010 and has abated approximately 1,275 septic tanks. The District is continuing to make additional sewer improvements and when complete will result in 31,300 linear feet of new sewer and service to 695 parcels; and approximately 518 additional active septic tanks will be abated.

The Project's connections into sewer infrastructure will undergo review by MSWD and City Staff to ensure wastewater capacity and compliance. Additionally, sewer installation and connection fees in place at the time of development or connection would be collected by MSWD. Less than significant impacts to wastewater treatment are expected.

Mitigation Measures: None

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

Discussion:

Solid waste disposal and recycling services for the City of Desert Hot Springs are provided by Desert Valley Disposal (DVD). Solid waste generated by the Project would consist of standard household/office waste. Unused plant material will be composted and reintroduced into soil composite and not disposed

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of in unsecured waste receptacles. 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 the medical marijuana cultivation and processing facility would be minimal. Less than significant impacts to solid waste are expected.

Mitigation Measures: None

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

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Discussion:

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

Mitigation Measures: None

**XIX. MANDATORY FINDINGS
OF SIGNIFICANCE --**

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

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Discussion:

As concluded in the Biological and Cultural Resources sections of this Initial Study, the proposed Project would result in no impacts or less than significant impacts to these resources. The Project is compatible with the City of Desert Hot Springs Zoning and its surroundings. The Project will not significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a 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 pre-history. Based upon the information and mitigation measures provided within this Initial Study and independent studies prepared for Biological and Cultural Resources, approval and implementation of the Project is not expected to substantially alter or degrade the quality of the environment, including biological, cultural or historical

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resources. Less than significant impacts are expected.

Mitigation Measures: None

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

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Discussion:

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

Mitigation Measures: None

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

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Discussion:

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

Mitigation Measures: None

Sources

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

City of Desert Hot Springs Comprehensive General Plan Draft EIR, June 2001

City of Desert Hot Springs Municipal Code

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

Mission Springs Water District 2015 Urban Water Management Plan, June 2016

Mission Springs Water District Wastewater System Comprehensive Master Plan, April 2007

Special Studies

Biological Analysis, prepared by Jim W. Cornett, Ecological Consultants, December 2018

Historical/Archaeological Resources Survey, prepared by CRM TECH, August 2018

Preliminary Hydrology Report, prepared by Sanborn Architecture Group, Inc., September 2018