

# City of Desert Hot Springs

Planning Commission

## AGENDA ITEM REPORT



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**To:** Planning Commission  
**Date:** March 8, 2022  
**Department:** Community Development  
**Prepared by:** Juan Carrillo, Principal Planner  
**Subject:** **Development Permit No. 21-14: A Request to Construct an Approximately 3,424,698 Square-Foot Sortable Multi-Story E-Commerce Warehouse and Distribution Center for Consumer Products on Approximately 94.62 Acres and the Proposed Adoption of a General Plan Update EIR Addendum**

### RECOMMENDATION:

- 1) Staff Report;
- 2) Entertain questions of Staff from Planning Commission;
- 3) Open the Public Hearing;
- 4) Take testimony from Applicant;
- 5) Take testimony from those in favor of the project;
- 6) Take testimony from those opposed to the project;
- 7) Take testimony from those in a neutral position;
- 8) Opportunity for Applicant rebuttal;
- 9) Close the Public Hearing;
- 10) Planning Commission discussion; and
- 11) Adoption of the General Plan Update EIR Addendum, and Approval of Development Permit No. 21-14: a request to construct an approximately 3,424,698 square-foot sortable multi-story e-commerce warehouse and distribution center for consumer products on approximately 94.62 acres.

### BACKGROUND:

On July 15, 2021, the applicant, Seefried Industrial Properties Inc. submitted a Development Permit application and an Environmental application for the development of an approximately 3,424,698 square-foot sortable multi-story e-commerce warehouse and distribution center for consumer products on approximately 94.62 acres.

### DISCUSSION:

The subject site is located on the east side of Calle de Los Romos between 19th Avenue and 20th Avenue, Assessor's Parcel Number 666-370-032. The project site is currently vacant and relatively undisturbed, with vegetation of creosote bush & desert scrub brush, and a soil type that consists mainly of deep coarse sands.

Immediately surrounding properties are as follows:

	<b>Zoning</b>	<b>Current Land Use</b>
North	Light Industrial (I-L), across 19th Avenue	Vacant Parcel
South	Commercial Highway (C-H), across 20th Avenue	Vacant Parcel
East	Light Industrial (I-L)	Vacant Parcel
West	Desert Harvest SP and Light Industrial (I-L) across Calle de Los Romos	Vacant Parcel

The current Zoning designation for the site is Light Industrial (I-L) and the General Plan Designation is Industrial (I). The proposed use of the property is consistent with the General Plan, Zoning Ordinance, and permitted land uses in the zone.

The applicant proposes to develop the project site with an approximately 3,424,698 square-foot sortable multi-story e-commerce warehouse and distribution center for consumer products on approximately 94.62 acres in accordance with Section 17.16.020 and as stated in Table 17.16.01 of the Desert Hot Springs Municipal Code (DHSMC), which permits this use listed as Warehouse, Wholesaling and Distribution.

The proposed project would include five levels, consisting of an approximately 348,749-square-foot mezzanine, and levels two through five would each be 606,574 square feet. The building footprint would be approximately 649,653 square feet. The proposed building height would be a maximum of 105 feet, and would include bike lockers, changing facilities, and showers for employees.

## **OPERATION**

The proposed project would be occupied by a single tenant. Sortable e-commerce warehouse and distribution centers are high-cube package handling facilities that support the “first-mile” of the tenant’s fulfillment logistics network. The proposed project is intended to be used primarily for the storage and/or consolidation of goods prior to their distribution to the customer or another supporting facility. The proposed building would store, package, and fulfill orders, utilizing automation and logistics to enable highly efficient processing of goods. Thus, reducing the number of employees required and trips to/from the project, which would be expected to be generated for a similar size facility. The site would operate 24-hours a day, 365 days per year. Cold storage is not proposed as part of the project.

## **EMPLOYMENT**

Operations are expected to require 1,874 full-time employees. Employees would work in two shifts within a 24-hour period. Due to the number of employees expected, the day/night shifts are split in half with staggered start/end times 30-minutes apart to alleviate the peak traffic demand on the adjacent roadways. Most line haul trucks serving the facility arrive and depart between 7:00 p.m. and 1:00 a.m.

## **VEHICULAR ACCESS AND PARKING**

I-10 would provide regional access to the project site via North Indian Canyon Drive exit, and local access would be provided via 20th Avenue, 19th Avenue, and a new 88-foot-wide public roadway. Access to the site would be available via four driveways along a proposed new access road to the west of the project site, one driveway along 20th Avenue, and three driveways along 19th Avenue. The proposed project would provide approximately 426 trailer spaces, 483 total trailer locations, 1,756 on-site parking spaces (including 16 motorcycle spaces), and 57 loading docks. Furthermore, the proposed project would include a designated drop-off area and carpool designated parking.

Chapter 17.48 Off-Street Parking Standards includes a provision under Section 17.48.030 General Regulations, Subsection E, where requirements for uses not specifically listed herein shall be determined by the Director based upon the requirements for comparable uses and upon the particular characteristics of the use, pursuant to Section 17.04.070(C) (Similar Uses Permitted). Because of the nature of the proposed e-commerce fulfillment center the Community Development Director has made findings under Similar Uses as explained on the next page as subsection “Similar Uses.”

## **OFF-SITE ROADWAY IMPROVEMENTS**

The project’s off-site improvements would include up to 16.24-acres of street and utility improvements. Right-of-way easements are proposed along the future extension of 20th Avenue to the south and 19th Avenue to the north, and a new 60-foot-wide public roadway is proposed along the west perimeter of the project site. On the west, Proposed Calle De Los Ramos Street (Proposed Road A) would be built to the full right-of-way width of 60 feet between 19th and 20th Avenue. On the south, 20th Avenue would be improved to the full right-of-way width and on the north, 19th Avenue would also be improved to its full right-of-way width. Stop controlled intersections would be proposed for Calle De Los Ramos at 19th and 20th Avenue intersections. Street widening on 19th and 20th Avenue are proposed west of these intersections beyond the project frontages.

## **LANDSCAPING**

The proposed project would include approximately 1,700,000 square feet of landscaping. The landscape design provides street frontage landscape treatments as a reflection of the community landscape standards in the area, with a mix of deciduous and broadleaf evergreen trees creating a diverse character for the large-scale site. Plant palette selection would be based on recommended plant materials from the Mission Springs Water District (MSWD) and from research of plant materials adaptable for the area, which are low water use and low maintenance. Recommended plants include, but are not limited to: strawberry tree (*Arbutus unedo*), bottle tree (*Brachychiton populneus*), ironwood (*Casuarina edquistum*), western redbud (*Cercis occidentalis*), desert willow (*Chilopsis linearis*), Saratoga laurel (*Laurus nobilis ‘saratoga’*), Wilson fruitless olive (*Olea europea ‘wilsonii’*), Mexican palo verde (*Parksonia aculeata*), Chinese pistache (*Pistacia chinensis*), California sycamore (*Platanus racemosa*), tipu tree (*Tipuana tipu*), Chinese elm (*Ulmus parvifolia ‘true green’*), fan palm (*Washingtonia filifera*), Russian olive (*Elaeagnus angustifolia*), pineapple guava (*Feijoa sellowiana*), hollyleaf cherry (*Prunus ilicifolia*), and creeping evergreen fig (*Ficus pumila*). Landscaping would be incorporated immediately surrounding the proposed facilities in addition to the perimeter of the project site along 20th Avenue, Calle De Los Romos, and 19th Avenue (Appendix A). There would be several practical uses of planting for the site, including screening views of parking areas from off-site, providing shade canopy trees for cooling the parking lot pavement, stabilizing potential slope erosion effects, along with allowing for large areas of the site to remain undisturbed as native desert floor.

## **Similar Uses**

Table 17.16.01 of the City’s Zoning Code permits wholesaling and distribution warehouses. The proposed use is described as a “sortable multi-story e-commerce warehouse and distribution center for consumer products”.

When a use is not specifically listed in this Zoning Ordinance, Section 17.04.070(C) gives the Community Development Director the authority to compare a proposed use and measure it against those listed in this Zoning Ordinance and the Standard Industrial Classification Manual for determining similarity General Requirements under Similar Uses Permitted. The Ordinance goes further to say that “it shall be understood that the use may be permitted if it is determined by the Director that the use is similar to other uses listed”.

The Ordinance recognizes that every conceivable use cannot be identified in this and anticipating that new uses will evolve over time, Section 17.01.070 establishes that in determining “similarity” the Director shall make all of the following findings:

- a. The proposed use shall meet the intent of, and be consistent with the goals, objectives and policies of the General Plan; The Economic Development Element of the General Plan recognizes that the exponential growth of online sales has resulted in greater demand for fulfillment centers and warehouse space. Major e-commerce retailers such as Amazon have built warehouses ranging from 800,000 to 1 million square feet, or more, in areas zoned for industrial use, with the result being an increase in the value of land typically chosen for these sites. Many major retailers who operate fulfillment centers require more than 500,000 square feet and face difficulty finding existing spaces to meet their needs. Riverside County is one of Amazon’s preferred areas for building distribution centers given its proximity to the major markets of Southern California. As such, Staff recommends this finding.
- b. The proposed use shall meet the stated purpose and general intent of the district in which the use is proposed to be located: Policy ED-1.5 Employment-Generating Industry Clusters is supportive of Identifying business and locational opportunities for establishing employment-generating industry clusters such as health care, professional office, and warehouse/fulfillment centers. As such, Staff recommends this finding.
- c. The proposed use shall not adversely impact the public health, safety and general welfare of the City’s residents; Policy LU-8.2 of the General Plan promotes Safe Industrial Uses. Industrial development projects should be built in areas with available infrastructure and adjacent to major transportation corridors. Site such uses in areas where impacts on public health and safety can be minimized. As such, Staff recommends this finding.
- d. The proposed use shall share characteristics common with, and not be of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located. The proposed project is listed as a permitted use in the Zoning and Land Use designation, further Section 17.04.070, Similar Uses Permitted, gives the Community Development Director authority to determine similarity General Requirements under Similar Uses Permitted. The Ordinance goes further to say that “it shall be understood that the use may be permitted if it is determined by the Director that the use is similar to other uses listed”. As Such, Staff recommends this finding.

The proposed development of each project site is consistent with the development standards of the I-L (Light Industrial) District in building height, setbacks, lot coverage and floor area ratio.

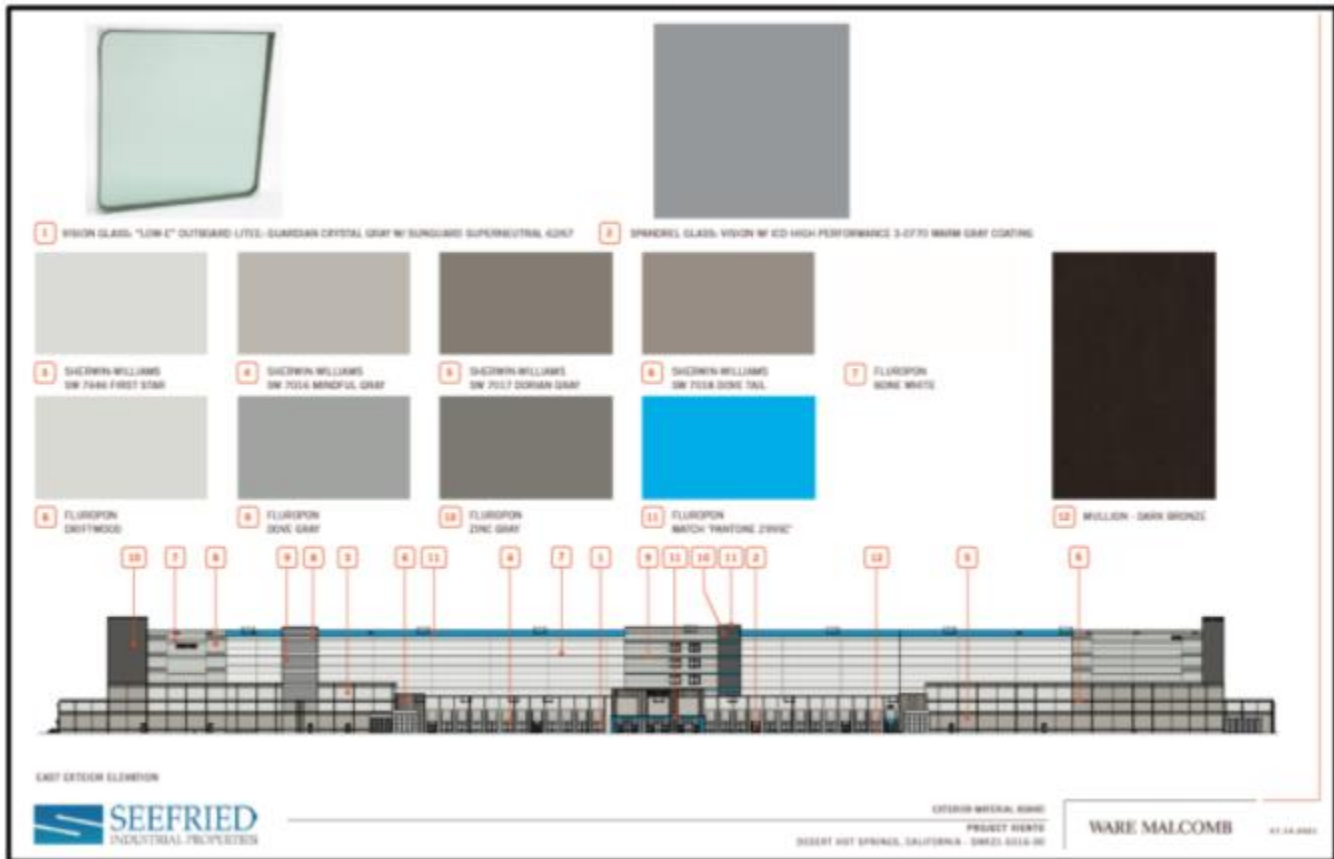
Signage: The applicant has not proposed any signage at this time. Staff will evaluate signage for conformance with the zoning code as a separate application, and a condition has been added that all future signage will require a separate review and approval.

Lighting: An exterior photometric plan will be reviewed, and it shall indicate wall packs and freestanding poles that would be provide lighting throughout the site, with an average two foot-candles provided at entrances, and loading doors. The plan must meet the requirements of Section 17.12.370 for lighting in the Industrial zone.



## Elevations, Colors and Materials

The proposed building will be a business park setting and will be a tilt up construction. The exterior finishes will have a smooth concrete palette of greys, blues, orange, and purples to add a variation. The entry doors on the elevations shows a canopy installed above to shade the pedestrian entries, the windows will have a dual glaze. The building elevations are similar to other industrial buildings in the area and will have architectural panels with alternating colors. The overall architecture is simple and modern, and the color scheme is appropriate to the design. The material sample board on the next page also includes a building elevation for reference on building materials and proposed colors.



## FISCAL IMPACT:

Development of this project will generate revenues to the City in the form of building permit fees to defray plan check and inspection costs.

## ENVIRONMENTAL ANALYSIS:

An Addendum has been prepared for the proposed project pursuant to 14 Cal. Code. Regs Section 15162(a) of the CEQA Guidelines, once an EIR has been certified, no subsequent environmental review needs to be completed unless there are substantial changes in the project that warrant additional review. After a duly noticed public hearing, on May 26, 2020, the City Council adopted and approved a General Plan Amendment. Pursuant to the CEQA, Public Resources Code Sections 21000, et seq., and its implementing regulations, California Code of Regulations Section 15000, et seq., the City, acting as Lead Agency, reviewed and certified a draft Environmental Impact Report (State Clearinghouse number 2019080101) prepared for the proposed General Plan Amendment and determined that, following the implementation of certain mitigated measures and after the preparation of a GPU EIR Addendum there are no substantial changes that warrant additional review.

## **OPTIONAL:**

The Planning Commission may approve and/or modify the proposed Development Permit (DP No. 21-14) in whole or in part, and shall impose specific development conditions. These conditions shall relate to both on- and off-site improvements that are necessary to mitigate project-related adverse impacts, and to carry out the purpose and requirements of the respective land use district. The Planning Commission may approve DP 21-14 by making the following findings:

A. That the proposed use is permitted within the subject land use district and complies with all of the applicable provisions of this Zoning Ordinance, including prescribed development standards and design guidelines; the proposed e-commerce retail use is a permitted use by zoning and land use, additionally, Section 17.04.070(C) Similar Uses Permitted gives the Community Development Services Director the authority to find the proposed e-commerce retail use a permitted similar use, including parking requirements. Furthermore, Goal LU-8 encourages industrial opportunities and new development that broaden the economic and employment base of the city. Policy LU-8.1 encourages employment centers to ensure that a variety of land uses and infrastructure that will allow the City to remain economically competitive. As such, Staff recommends this finding.

B. That the subject site is physically suitable for the type and intensity of the land use being proposed; the subject site will be able to safely accommodate for the physical mass of the proposed project. Policy LU-7.5 encourages to prioritize Industrial Development by focusing on business attraction and retention of employment and revenue generating uses on industrial land. As such, Staff recommends this finding.

C. That the proposed development would be compatible with existing and future developments within the land use district and general area; Policy LU-8.2 promotes industrial development projects in areas with available infrastructure and adjacent to major transportation corridors. Site such uses in areas where impacts on public health and safety can be minimized. As such, Staff recommends this finding.

D. That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use is not detrimental to public health and safety; Goal OS-3: a sustainable, reliable, and clean water supply, and Policy OS-3.1: Water Conservation, requires water conservation measures in new development, equivalent to CalGreen Tier One or similar standards. MSWD has provided conditions to be placed on the proposed project. As such, Staff recommends this finding.

E. That there is adequate public access and roadway capacity to serve the subject proposal; Goal MI-1 promotes an inclusive mobility framework that safely and efficiently moves and connects people, destination, vehicles, and goods, and Policy MI-1.1 reinforces the need for a Transportation Network Improvements and it also establishes and maintains a multimodal mobility plan which sets forth improvement plans and project prioritization for a variety of modes and users of the transportation network. As such, Staff recommends this finding.

F. That there are no significant harmful effects upon environmental quality and natural resources; Goal OS-2 requires air quality that is healthy for residents and the environment. Policy OS-2.1 seeks to reduce air pollution through the implementation of existing regulations and the creation of new regulations where needed. Policy OS-2.2 requires to find creative means to comply with State

laws addressing climate change. Policy OS-2.3 addresses minimizing the air quality impacts of new development projects on established uses. As such, Staff recommends this finding.

G. That any negative impacts of the proposed use can and shall be mitigated; an Addendum to the General Plan EIR was prepared for the proposed project and a Mitigation Monitoring and Reporting Plan was prepared as part of the environmental process. The MMRP is applicable to the proposed project. (State Clearinghouse No. 2019080101) certified by the City of Desert Hot Springs on May 26, 2020.

H. That the proposed use is consistent with the General Plan; the proposed site is located within the Industrial (I) Land Use designation (APN 666-370-032) thereby being consistent with the General Plan of the City of Desert Hot Springs.

I. That the proposed location, size, design, and operational characteristics of the planned use are not detrimental to the public interest, health, safety, convenience, or welfare of the City; the subject site's location, size, design, and operational characteristics of the proposed project comply with the design standards of the Light Industrial (I) zoning designation and Land Use designation. The Planning Division, Engineering Division, Public Works Department, Cal Fire, Mission Springs Water District (MSWD) have reviewed the proposed project and found it to meet all development criteria and have imposed conditions of approval on the proposed development.

#### **ATTACHMENTS:**

[Exhibit 1- Draft Conditions of Approval](#)

[Exhibit 2 - Site Plan](#)

[Exhibit 3 - Building Elevations](#)

[Exhibit 4 - General Plan Update Environmental Impact Report](#)

[Exhibit 5 - Addendum](#)

## **DRAFT CONDITIONS OF APPROVAL**

**MEETING DATE:** March 8, 2022

**TITLE:** Project Viento

**CASE NO:** Development Permit No. 21-14

**PREPARED BY:** Juan Carrillo, Principal Planner

### **Project Specific Conditions:**

1. The approval under DP 21-14 is for the development of an approximately 3,424,698 square-foot sortable multi-story e-commerce warehouse and distribution center for consumer products on approximately 94.62 acres on APN: 666-370-032.
2. No signage is approved under this permit, signage shall require a separate application and review.
3. All appropriate permits shall be pulled with the City's Building and Engineering Department.
4. The applicant/developer shall comply with State Law at all times.

### **Standard Administrative Conditions**

5. The approval of DP 21-14 is subject to the (2) year expiration provisions of the City's Zoning Ordinance, as provided in Section 17.92.070 and will expire on March 8, 2024.

Commencement of construction shall have occurred within 2 years of Development Permit approval, or the permit shall become null and void. In addition, if after issuance of building permit, work is discontinued for a period of 2 years, then the Development Permit shall become null and void.

Further, if after issuance of grading permit, work is discontinued for a period of 6 months, then the Development Permit shall become null and void, unless extended. Projects may be built in phases if so pre-approved by the review authority. If a project is built in pre-approved phases, each subsequent phase shall have 2 years from the previous phase's date or first Certificate of Occupancy to the next phase's date of construction commencement to have occurred, or the Development Permit shall become null and void. If no building permit is required

for the Development Permit, the Development Permit shall expire if it is not exercised within 2 years of the approval.

6. The applicant may request an extension of time for DP 21-14 per the City's Zoning Ordinance Section 17.92.100. Upon filing a time extension(s) and fees paid prior to expiration and for good cause, grant a time extension not to exceed 12 months.
7. Applicant/developer shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings, including those involving environmental issues, against the City to attack, set aside, void, annul, and/or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning the entitlement application. City shall promptly notify both the Applicant/Developer and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
8. All development on the Project Site shall be in compliance with all applicable provisions of the City's Municipal Code as well as all applicable provisions of the adopted Building and Fire Codes. All new construction shall obtain a building permit and comply with the requirements of the Planning, Building, and Fire Departments.
9. No Certificate of Occupancy (C of O) shall be granted until all Conditions of Approval have been completed and approved by the Planning, Engineering, Building, and Fire Departments unless otherwise identified herein.
10. The development of the Project on the Project Site shall be in substantial compliance with the exhibits contained in the project file for DP 21-14 as shown in all Exhibits and incorporated herein by this reference.
11. The final grading plan shall be in substantial conformance with the designs set forth in the hydrology report and site drainage design.
12. **Within fifteen (15) days** of final approval by the Planning Commission, the applicant/developer shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This authorization shall become void, and any privilege, permit, or other authorization granted under this entitlement DP 21-14 shall be deemed to have elapsed if compliance with this condition has not been undertaken within the specified time limits.
13. A scanned copy of the signed Conditions of Approval shall be included in the Building Construction Plans submitted for plan check.

14. The applicant/developer shall pay all established service, permit, impact, public art, and other applicable fees required by the City. Note: The Transportation Unified Mitigation Fee is collected by the City of Desert Hot Springs on behalf of the Coachella Valley Association of Governments. Questions on the calculation of this fee should be addressed to them at (760) 346-1127. The School District Fees are imposed by the Palm Springs Unified School District and questions should be addressed to them at (760) 416-6159.
15. The applicant/developer shall deliver within five (5) working days after the appeal period (15 days) to the Community Development Department a cashier's check, money order, or other acceptable form of payment made payable to "Riverside County" in the amount of \$2,480.25 plus \$50.00 processing fee for a total of \$2,530.25 to enable the City to file a Notice of Determination required pursuant to California Code of Regulations Section 15075. Any additional fees that may be attributed to the required filing of environmental documents shall be paid by the Applicant/Developer. If Applicant/Developer has not delivered to the Community Development Department the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Game Code Section 711.4(c)).

### **Engineering Conditions**

#### **General Requirements**

42. The applicant/developer shall annex to Community Facilities District No. 2010-1 for the maintenance of:
  - a) Landscape/hardscape
  - b) Streetlights
  - c) Drainage Basins/Storm Drain Facilities
  - d) Prior to the issuance of a Certificate of Occupancy
43. The applicant/developer shall pay five thousand dollars (\$5,000) cost for the City's consultant to annex the Community Facilities District No. 2010-1 and the City fee for processing the request, prior to the issuance of an occupancy permit.
44. The applicant/developer shall pay five thousand dollars (\$5,000) cost for the City's consultant to annex to PTAX2 and the City fee for processing the request, prior to the issuance of an occupancy permit.
45. The applicant/developer shall submit the following items for approval from the Engineering Department:
  - a) Grading Plans with the street address for each lot and/or building foot

prints

- b) Storm Drain/Drainage Plans
- c) Street Improvements Plans
- d) Street Signage and Stripping Plans
- e) Street Lighting Plans
- f) Hydrology Report
- g) Water Quality Management Plan
- h) Composite Utility Plans
- i) (Sewer and Water Plans – Submit to Mission Springs Water District)

- 46. Prior to the installation of any improvements in the public right of way (ROW), an encroachment permit shall be obtained from the City Public Works Department.
- 47. A soil compaction report shall be prepared and submitted to the City Building Department for approval prior to issuance of any building permit.
- 48. There shall be no encroachment into public rights of way for construction trailers, equipment, trash bins, portable toilets, or materials; all of which shall be kept on-site. Construction access to the site shall be by an approved driveway, entry, or curb cut; no asphalt ramps or curb jumping is permitted.
- 49. At no time shall any adjacent streets for the project be allowed to be used for construction staging, storage or other such construction related activities. Access by heavy equipment shall be limited to the minimum number of trips essential to completing the construction. Any damage to the existing public roadways, sidewalks or other infrastructure shall be repaired or replaced by the Applicant's contractor at his own expense, as directed by the Public Works Manager.
- 50. The applicant/developer shall submit an owner-and contractor-signed PM10 Dust Control Implementation Plan in accordance with the standards and codes of the City and the South Coast Air Quality Management District (SCAQMD). Plans shall be submitted for review and approval by the Public Works Department prior to the issuance of any grading and/or applicable building permits. Any site that is greater than 10 acres shall concurrently process a PM10 Dust Control Implementation Plan with the SCAQMD. For further information contact the SCAQMD at:

South Coast Air Quality Management District (SCAQMD)

21865 Copley Drive

Diamond Bar, CA 91765

(800) CUT-SMOG (288-7664)

[www.aqmd.gov](http://www.aqmd.gov)

- 51. The applicant/developer shall comply with the National Pollution Discharge Elimination System (NPDES) requirements per the California Regional Water Quality Control Board (RWQCB) regulations. The Applicant/Developer shall submit

a Project Specific Stormwater Pollution Prevention Plan (SWPPP) to comply with the California General Permit for Stormwater Discharges Associated with the Construction Activity, prior to the issuance of a grading permit. For projects larger than 1 acre, the Applicant/Developer shall obtain all required permits from the California Regional Water Quality Control Board (RWQCB) and submit a copy of the Notice of Intent (NOI) and the Waste Discharge Identification Number (WDID#) to the City's Public Works Department prior to the issuance of the any grading permit.

For further information contact the RWQCB at:  
California Regional Water Quality Control Board (RWQCB),  
Colorado River Basin Region,  
73-720 Fred Waring Drive #100  
Palm Desert, CA 92260  
(760) 346-7491  
[www.waterboards.ca.gov/colorariver](http://www.waterboards.ca.gov/colorariver)

52. The applicant/developer shall comply with section 8.08 Recycling and Diversion of Waste from Construction and Demolition of the Municipal Code and file a Plan with the City's Building Department prior to the start of any construction.
53. The design of the on-site grading, street improvements and the storm drainage improvements shall be coordinated with all adjacent projects to the satisfaction of the City Engineer.
54. All overhead utilities less than 92kv, located within the project boundaries, bordering the project and/or fronting the project shall be undergrounded.
55. If not all the public improvements are completed before the applicant/developer applies for a Certificate of Occupancy, the applicant/developer may submit an engineer's estimate with approved improvement plans and shall file an improvement agreement with security to guarantee completion of public improvements as follows:
  - a. A faithful performance security in an amount deemed sufficient by the City Engineer to cover up to 100% of the total estimated cost of all required improvements, including bonding requirements for grading as outlined in the Municipal Code.
  - b. A labor and material security to cover up to 50% of the total estimated cost of all required improvements.
  - c. If the required project improvements are financed and installed pursuant to special assessment proceedings, upon the furnishing by the contractor of the faithful performance and labor and material security required by the special assessment act being used, the City may reduce the improvement



security of the Applicant/Developer by an amount corresponding to the amount of the security furnished by the contractor.

- d. Notwithstanding the above, the Applicant/Developer may satisfy the requirement for security of certain improvements by providing proof that same has been posted with another public agency subject to the approval of the City Engineer.
56. Security may be one of the following types subject to the approval of the City Engineer and City Attorney as to form:
- a. Bonds - All bonds shall be executed by a surety company authorized to transact business as a surety, and have an agent for service in California, together with an acceptable policy holder's rating. The bond(s) shall contain the nearest street address of the institution providing the bond(s).
  - b. Cash Deposits - In lieu of the faithful performance and labor and material bonds, the developer may submit cash deposits or negotiable bonds of a kind approved for securing deposits of public monies under the conditions hereinafter described.
  - c. Disbursements from cash deposits shall be made in compliance with a separate agreement between the developer and the City. A bookkeeping fee of 1% of the total amount deposited with the City for each cash deposit shall be submitted with each security. Disbursements from a cash deposit in any instance shall not be permitted unless and until authorized in writing by the City Engineer.
57. All improvement agreements shall be approved by the City Attorney and City Council. Security for the agreement shall be approved by the City Attorney and Finance Director.

#### On-Site Street Improvements

58. The on-site driveways and parking areas shall be improved with asphalt or concrete paving, permeable pavers, curbs, gutters, and appurtenances as shown generally on the approved site plan. The thickness of pavement shall be determined by the applicant's engineer based upon "R" value tests taken of the soils and appropriate traffic indices to be determined by the applicant's engineer, all subject to approval by the City Engineer.
59. All on-site paving, curbs and gutters, sidewalks, ramps and other site work shall be constructed to City standards, subject to the improvement plans approved by the City Engineer.

60. The applicant/developer is required to construct all transition and missing links between existing and proposed improvements.
61. The proposed driveways shall be a radius driveway per City of Desert Hot Springs Standard No. 210.
62. The applicant/developer shall comply with all recommendations for on-site street improvements per the traffic analysis completed by Kimley Horn dated February 2022 and as follows;
  - a. Calle de Los Romos and Project Driveways 1 – 4 (Passenger Vehicle Access)
    - i. Construct a full-access driveway to align with Calle de Los Romos;
    - ii. Provide northbound/southbound travel lanes and center two-way left-turn lane;
    - iii. Provide two outbound, stop-controlled lanes from the Project site, a left-turn lane and a right-turn lane.
  - b. 19th Avenue and Project Driveway 5 (Passenger Vehicle Access)
    - i. Construct a full-access driveway to align with 19th Avenue;
    - ii. Provide two (2) eastbound/westbound travel lanes;
    - iii. Provide one outbound, shared left/right-turn lane (stop-controlled).
  - c. 19th Avenue and Project Driveway 6 (Truck Access)
    - i. Construct a full-access driveway to align with 19th Avenue;
    - ii. Provide two (2) eastbound/westbound travel lanes;
    - iii. Provide one outbound, shared left/right-turn lane (stop-controlled).
  - d. 20th Avenue and Project Driveway 7 (Truck Access)
    - i. Construct a full-access driveway to align with 20th Avenue;
    - ii. Provide two (2) eastbound/westbound travel lanes;
    - iii. Provide two outbound, stop-controlled lanes from the Project site, a left-turn lane and a right-turn lane.

#### Off-Site Street Improvements

63. All street improvements shall include construction of asphalt concrete pavement over base material, curb/gutter, sidewalk, streetlights, catch basins, storm drains, and fully landscaped and irrigated perimeter along the property frontages at the cost of the applicant.
64. Improvements shall include removal and construction of existing street improvements that are severely damaged and/or not in compliance with City Standards along 20<sup>th</sup> Avenue.

65. All sidewalks, ramps, and landings shall be compliant with the Americans with Disability Act.
66. Proposed street striping shall be per Caltrans Standards approved by the City Engineer.
67. The minimum grade on all proposed streets shall be 0.50% unless approved in advance, in writing, by the City Engineer.
68. The applicant/developer shall comply with all recommendations for off-site street improvements per traffic analysis completed by Kimley Horn dated February 2022 and as follows:
  - a. Applicant/developer shall extend 19th Avenue and 20th Avenue to the east limits of the site and construct a new public roadway, Calle De Los Romos, adjacent to the Project to the west. This new roadway would connect 19th Avenue and 20th Avenue and would align with the future Calle De Los Romos roadway to the north.
  - b. Applicant/developer shall construct Calle de Los Romos to be a north-south "Local Collector" roadway with a 78-foot right-of-way and 56-foot curb-to-curb width. Along the frontage, the street section would be constructed and include two travel through lanes, a center two-way left-turn lane and parking lanes. Sidewalk would be constructed on the east side of street, adjacent to Project site, while the sidewalk on the west side of the road would be constructed by future development.
  - c. Applicant/developer shall construct 19th Avenue to be an east-west "Secondary II" roadway with an 88-foot right-of-way and a 64-foot curb-to-curb width. Along the frontage, the street section would be constructed to include four travel lanes and shoulders. Sidewalk would be constructed on the along the south side of street, adjacent to Project site, while the sidewalk on the north side of the road would be constructed by future development.
  - d. Applicant/developer shall construct 20th Avenue to be an east-west "Secondary II" roadway with an 88-foot right-of-way and a 58-foot curb-to-curb width. Along the frontage, the street section would be constructed to include four travel lanes and shoulder on the north side of road. Sidewalk would be constructed on the along the north side of street, adjacent to Project site. A 2-foot would be provided along the south side of this section. The Project would also extend 20th Avenue between Calle De Los Romos and the existing improved street section, just south of the I-10 westbound ramps (Intersection 10). This segment would be constructed with a 64-foot

curb-to-curb width, four travel lanes, and shoulders on both sides of road. Sidewalk would not be constructed along this segment.

- e. Applicant/developer shall construct the Traffic Signal at North Indian Canyon Drive at 19<sup>th</sup> Avenue as follows;
    - i. Signalize the intersection;
    - ii. Restripe the southbound approach to provide a left-turn pocket (150-foot minimum);
    - iii. Stripe the east leg to provide a separate left-turn pocket (200-foot minimum) and a through /right-turn lane.
  - a) Applicant/Developer shall pay its fair share contribution for the impacts to the traffic signal at North Indian Canyon Drive at Dillon Road. The fair share contribution is calculated at 8% which is estimated at an equivalent to \$36,000.00.
69. Applicant/Developer shall dedicate the following right of way for road and utility purposes:
- a. Calle de Los Romos - "Local Collector" roadway with a 78-foot right-of-way, shall dedicate 39 feet of right-of-way along the frontage
  - b. 19th Avenue - "Secondary II" roadway with an 88-foot right-of-way, shall dedicate 44 feet of right-of-way along the frontage.
  - c. 20th Avenue - "Secondary II" roadway with an 88-foot right-of-way, shall dedicate 44 feet of right-of-way along the frontage.

#### Drainage

70. The applicant/developer shall submit a project specific Hydrology Report, using Riverside County Flood Control and Water Conservation District's Hydrology Manual for City review and approval.
71. No nuisance water shall escape the site onto public streets.
72. The applicant/developer shall provide on-site storm water retention basin(s) or system(s) designed to the satisfaction of the City Engineer. Each retention basin shall include a sufficient number of underground vertical drywells designed to eliminate standing water in the basin. The retention basin shall be sized to mitigate the post-development storm water flow rate within the limits of the project to pre-development levels based on a 100-year storm event of 24-hour duration and shall completely drain/percolate any storm event within 72 hours. All upstream runoff from adjacent properties that has historically been directed onto the proposed project may be considered to pass through the project with the exception of historical retention that occurred on-site. The retention basin shall be designed with a maximum depth of 5 feet and maximum side slopes of 3:1 and shall not be used for purposes other

than for the collection of storm water, nuisance water and well blow-off water. Alternate methods may be provided with the approval of the City Engineer.

- a) Any other facilities required in the drainage/hydrology study shall be designed and installed as detailed in Section 15.68, Flood Plain Management, and Section 15.72 Floodplain Construction of the Desert Hot Springs Municipal Code.
  - b) All retention basins/systems shall be located on site; off-site retention basins/systems are specifically prohibited.
  - c) Retention Basin Vehicular Access - Vehicular access shall be provided for maintenance of the retention basins to the satisfaction of the City Engineer. The City Engineer shall determine the need and/or design of such access. The grading of a "road" to the bottom shall comply with health and safety standards and shall meet the requisite design requirements including geometries and capacity of the basin(s). Maintenance of retention basins and drainage system shall be the responsibility of the Applicant/property owner/operator. Retention basins with side slopes equal to or greater than 4:1 and equal to or less than 5 feet in depth will not require an access road to the bottom of the basin.
73. The applicant/developer shall prepare and submit a Project Specific Preliminary and Final Water Quality Management Plans pursuant to the Whitewater River Region Water Quality Management Plan for Urban Runoff.
74. If the site is located in a Federal Emergency Management Act (FEMA) Flood Zone, structures on the property shall be protected from flood hazard. A (FEMA) Elevation Certificate shall be provided to the Building Department prior to issuance of a grading permit and shall be resubmitted "as constructed" prior to final grading signoff.
75. Applicant/Developer shall submit the project to the Department of the Army Corps of Engineers and the California Department of Fish and Game for approval of any development construction in the "Blue Line Stream" shown on the U.S. Geological Survey Quadrangle Map, Desert Hot Springs California. And obtain all required clearances and approvals.

#### **Standard Planning Department Conditions**

20. At no time shall the combination of uses or activities conducted with the building exceed the total demand for parking, as calculated in the City's Zoning Code and as provided onsite according to the approved site plan. Any change to the floor plan shall be subject to review and approval by the Planning Department.
21. The applicant/developer shall maintain the Project Site after the start of construction and until the Project is completed, free of weeds, debris, trash or any other offensive, unhealthful and dangerous material. If after five (5) days' notice by certified mail, the

applicant/ developer does not comply with the before mentioned criterion, the City may either cancel building or grading permits and/or enter the Project Site with City staff and remove all subject violations, bill the applicant /developer and/or put a lien on the Project Site.

22. The site shall remain undisturbed until the applicant/developer is issued a grading permit.
23. The applicant/developer shall control odors within the building.
24. Should odors emanate from the building or project site in the future, the applicant/developer shall submit revised plans and equipment specifications to the planning department for review and approval.
25. Wheel stops within the parking lot are prohibited unless required for ADA compliance.
26. All walls and trash enclosures shall have a decorative wall surface and a decorative cap that are consistent with the overall architecture of the project.
27. The use of rolled concrete on any exterior walls or trash enclosures is specifically prohibited.
28. Applicant/developer shall construct a trash enclosure in location per the approved Site Plan. The trash enclosure shall be subject to the following:
  - a. Enclosure shall be constructed of masonry block or concrete on a concrete pad. Gravel, compacted soil, or asphalt are not permitted for pad.
  - b. Two metal gates or similar material painted to match the building and positioned to swing clear of the enclosure's front width.
  - c. Gate pins shall be installed to hold gates open for integrity and safety
  - d. The enclosure shall be designed to allow walk in access without having to open the service gate.
  - e. A stress concrete apron shall extend a maximum of 13 feet from the trash enclosure pad the width of the enclosure opening to prevent damage to the asphalt paving caused by receptacle impact.
  - f. The trash enclosure base shall be 6-inches of concrete over 2-inches aggregated base rock or the builder shall provide evidence that construction are engineered to withstand up to 20,000 lbs. of direct force from a single truck axle.
  - g. The trash enclosure shall have a trellis above the gates and enclosure to prevent unauthorized trash dumping into the bins. Said trellis shall be made of steel and painted to match the building trim colors to accentuate the enclosure.
  - h. Each trash enclosure shall be properly maintained.
  - i. The walls of the trash enclosure shall have a decorative cap.

29. Outdoor storage of equipment and/or merchandise must satisfy all screening requirements of Sections 17.16.320 of the Desert Hot Springs Municipal Code.
30. Outdoor sales are prohibited unless the applicant has a Temporary Use Permit approved subject to the provisions of Section 17.136 of the Desert Hot Springs Municipal Code.
31. All drainpipes shall be interior to the building. Exposed drainpipes are specifically prohibited.
32. All drain terminations shall be from the Watts Drainage Product RD-940 or a product of equal value.
33. All breaker boxes, fire sprinkler risers, and utility conduits shall be interior to the building.
34. All Vapor Collection Systems at Service Stations shall be screened from public view.
35. All new commercial development shall comply with Mission Springs Water District's Water Efficient Landscaping Guidelines (guidelines are available at [www.mswd.org](http://www.mswd.org)). This policy requires outdoor water conservation practices within MSWD's service area, specifically: (1) the creation of landscape plans featuring the use of California native desert friendly plants; and (2) the preparation of irrigation plans detailing water efficient irrigation technology systems (e.g., drip irrigation, evapotranspiration irrigation controllers, etc.) appropriate to an arid desert climate.
36. Project shall have "Super Compliant" Architectural Coatings:
  - a. Prior to Building permit issuance the applicant shall submit evidence, such as emissions estimates, coating use estimates and manufacturers specifications for VOC content, or other evidence that indicates VOC emissions during architectural coating activities would not exceed SCAQMD CEQA significance thresholds.
  - b. Prior to Building permit issuance the applicant shall prepare a Coating Restriction Plan (CRP), consistent with SCAQMD guidelines. The project applicant/developer shall include in any construction contracts and/or subcontracts a requirement that Project contractors adhere to the requirements of the CRP. The CRP shall include a requirement that all interior and exterior residential and non-residential architectural coatings used in Project construction meet the SCAQMD "super compliant" coating VOC content standard of less than 10 grams of VOC per liter of coating. The CRP shall also specify the use of high-volume, low-pressure spray guns during coating applications to reduce coating waste.
37. All redwood headers are specifically prohibited from use on the project site.



38. All irrigation lines shall be located below ground with no surface exposure.
39. All mechanical equipment, either roof or ground mounted, and shall be screened from public view. All such equipment shall be fully screened by the roof structure, a parapet wall, appropriate ground mounted walls, berming, or landscaping. All walls shall architecturally match the building.

**Graffiti:**

40. The applicant/developer shall keep the Project Site, clear of graffiti vandalism at all times. The applicant/developer shall contact the City's Graffiti Hot Line at 888-562-3822 within 48 hours of discovering the graffiti vandalism.
41. The applicant/developer and/or successor(s) shall apply (and maintain) a protective coating or graffiti resistant materials acceptable to the City's Public Works and/or Community Development Department, to provide for the effective and expeditious removal of graffiti on all exterior building elevations and/or project walls and/or replacement of defaced screening panels.
42. In the event there is a change in the name, address or telephone number of the responsible person(s), firm or company, the applicant/developer or successor shall notify the City within 48 hours, in writing, of the change and provide the City with the current contact information of responsible person(s), firm or company.
43. The applicant/developer and/or successor(s) in interest shall be responsible for the removal of any graffiti vandalism from the project site (exterior building surfaces and/or exterior walls/fences) within 48-hour after discovering the graffiti vandalism or receipt of notice from the City of the same. The applicant/developer shall contact the City's Graffiti Hot Line at 888-562-3822 within 48 hours of discovering the graffiti vandalism.
44. The applicant/developer and/or successor(s) in interest hereby agrees to allow the City and/or its agents to enter the property for the purpose of removing or painting over graffiti vandalism if the applicant/developer and/or successor(s) in interest fail to remove the reported graffiti vandalism within the 48 hours of discovering the graffiti or receipt of notice from the City.
45. In the event that applicant/developer and/or successor(s) in interest, fail to remove the graffiti vandalism within 48 hours, requiring the City and/or its agents to enter the Project Site for the purpose of removing or painting over graffiti vandalism the Applicant / Developer and/or successor(s) in interest shall release the City and/or its agents from any liability for property damage or personal injury. And shall reimburse to the City all costs associated with the removal of the graffiti vandalism.
46. The applicant/developer and/or successor(s) in interest shall include the



aforementioned authorizations to enter the Project Site for the purpose of removing or painting over graffiti vandalism as part of authorization agreement to the satisfaction of the Community Development Department and the approval of the City Attorney, as to form.

47. The applicant/developer and/or successor(s) in interest shall, to the extent feasible, have designed a building structure visible from any public or quasi-public place in such a manner to consider prevention of graffiti, including, but not limited to the following:
- a. Use of additional lighting;
  - b. Use of non-solid fencing;
  - c. Use of landscaping designed to cover large expansive walls such as ivy or similar clinging vegetation; or
  - d. Use of architectural design to break up long, continuous wall or solid areas.

**Lighting:**

48. The applicant shall submit an exterior Lighting Plan in compliance with all relevant sections of the DHSMC, include a photometric analysis, to the City Planner for review and approval prior to issuance of a building permit. The Lighting Plan shall also identify the following:
- a. Exterior lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the Project Site and shall be directed downward and away from adjoining properties and the public right-of-way.
  - b. All lighting outdoor lighting including fixture shall direct lighting downward.
  - c. The type of fixtures, including height, material, and color.
  - d. The total height of all freestanding lighting fixtures shall not exceed 18 feet.
  - e. That all concrete fixture bases will have a decorative finish. At a minimum, a trowel finish shall be provided.
  - f. That the bolts connecting the light fixture to the base shall be covered.
49. Applicant/developer shall apply for a separate permit for any proposed signage, in accordance with the provisions of the City's Municipal Code.
50. Applicant/developer shall adhere to the City's light standard and identify all light fixtures (wall mounted and pole lights) on the site plan.
51. The Planning and/or Police Departments may require additional lighting to prevent unintended dark spots prior to final occupancy.
52. Secluded or hidden interior corridors are strongly discouraged by the Planning and Police Departments. For uses utilizing said corridors, mitigation measures shall be required and may include increased lighting, security surveillance cameras, controlled access, on-site security guards or other mitigating measures deemed

appropriate by the Police Department.

### **Police Department Conditions**

53. The applicant/developer shall comply with all applicable federal, state and City laws and regulations.
54. The applicant/developer shall incorporate all aspects of Crime Prevention through Environmental Design for visual surveillance, access control and territorial reinforcement.
55. Every area of the proposed development must be visible either from the street or from the structure. Unavoidable dead spaces or hidden/secluded areas require additional mitigating measures which may include increased lighting, hostile landscaping, security surveillance cameras, perimeter fencing and/or security gates, on-site security guards or other mitigating measures deemed appropriate by the Police Department.
56. Applicant/developer shall adhere to the City's light standard and identify all light fixtures (wall mounted and pole lights) on the site plan.
57. Lighting shall provide face recognition at 100 feet.
58. The Police Department may require additional lighting to prevent unintended dark spots prior to final occupancy.
59. Secluded or hidden interior corridors are strongly discouraged by the Police Department. For uses utilizing said corridors, mitigation measures shall be required and may include increased lighting, security surveillance cameras, controlled access, on-site security guards or other mitigating measures deemed appropriate by the Police Department.
60. The applicant and operator shall at all times implement the Utilize Crime Prevention Through Environmental Design (C.P.T.E.D) throughout the project, as follows:
  - CPTED Principle #1 – Natural Surveillance  
"See and be seen" is the overall goal when it comes to CPTED and natural surveillance. A person is less likely to commit a crime if they think someone will see them do it. Lighting and landscape play an important role in Crime Prevention Through Environmental Design.
  - CPTED Principle #2 - Natural Access Control  
Natural Access Control is more than a high block wall topped with barbed wire. Crime Prevention Through Environmental Design or CPTED utilizes the use of walkways, fences, lighting, signage and landscape to clearly guide people and vehicles to and from the proper entrances. The goal with this CPTED principle is not necessarily to keep intruders out, but to direct the flow of

people while decreasing the opportunity for crime.

CPTED Principle #3 – Territorial Reinforcement

Creating or extending a "sphere of influence" by utilizing physical designs such as pavement treatments, landscaping and signage that enable users of an area to develop a sense of proprietorship over it is the goal of this CPTED principle. Public areas are clearly distinguished from private ones. Potential trespassers perceive this control and are thereby discouraged.

CPTED Principle #4 – Maintenance

CPTED and the "Broken Window Theory" suggests that one "broken window" or nuisance, if allowed to exist, will lead to others and ultimately to the decline of an entire neighborhood. Neglected and poorly maintained properties are breeding grounds for criminal activity. We will work with you to develop a formal CPTED based maintenance plan to help you preserve your property value and make it a safer place.

61. Prior to issuance of building permits, the site plan shall indicate all perimeter walls and fences to be of a design to prevent or discourage scaling & graffiti.
62. Prior to issuance of building permits, that landscape plan shall be amended to include drought tolerant "hostile vegetation" shall be used when possible, under windows and around the fence line.
63. Prior to issuance of building permits, a photovoltaic survey shall be prepared and submitted with the proposed lighting plan. The lighting plan shall be reviewed to assure that:
  - a. Lighting provides adequate visibility, face & color recognition, and a sense of security for employees and visitors.
  - b. LED and / or Metal Halide lights are recommended.
  - c. Lighting shall be shielded through the use of fixture design and placement, and shrouds so that spillover at the property line is minimized.
  - d. Prior to issuance of building permits, the building plans shall indicate that motions sensors are installed on the building rooftops, subject to review and approval by the City of Desert Hot Springs Police Department. Specifications for the motion's sensors shall be included in the building plan set.
64. Prior to issuance of building permits, the plans shall be amended to indicate the location and type of all gate control and access equipment and / or systems (e.g., Knox box, keypad, radio control, etc.) Prior to issuance of occupancy permits, the applicant will provide all access equipment, materials, codes, etc. to the City of Desert Hot Springs Police Department.
65. Any private security service that uses security guards with uniforms shall assure to the satisfaction of the City of Desert Hot Springs Police Department that the uniforms are sufficiently different in appearance from any uniform of the Police Department, Riverside County Sheriff or other local police department.

### **Fire Department Conditions**

66. Fire Hydrants and Fire Flow: Prior to the issuance of building permits, plans for the water system shall be submitted to the fire department for review and approval. The water system shall be capable of delivering 3,000 gallons per minute at 20 psi for 3 hour duration. Fire hydrant location and spacing shall comply with the fire code. An approved water supply for fire protection during construction shall be made available prior to the arrival of combustible materials on site. Reference 2019 California Fire Code (CFC) 507.5.1, 3312, Appendices B and C.
67. Fire Department Access: Prior to building permit issuance, a fire access site plan shall be approved. Fire apparatus access to the rear portion of the facility needs to be readdressed prior to building permit issuance. The access roads shall be capable of sustaining 60,000 lbs. over two axels in all-weather conditions. Approved vehicle access, either permanent or temporary, shall be provided during construction. CFC 503.1.1, 3310.1 and 503.2.1
68. Fire Department access within the building needs to be readdressed to provide stairwells at each corner of the building providing access from ground floor to roof level. The stairwells shall be accessible from the exterior level of fire department vehicular access with a Knox Box.
69. All requests for alternative fire protection measures shall be submitted via Alternative Materials and Methods (AM&M) requests and be approved by the Fire Department prior to building permit issuance.
70. Hose connections for firefighting operations shall be provided on the roof level. The number and location of hose connections on the roof level will be as approved by the Fire Department.
71. Requests for installation of traffic calming designs/devices on fire apparatus access roads shall be submitted and approved by the Office of the Fire Marshal. Ref. CFC 503.4.1
72. Phased Construction Access: If construction is phased, each phase shall provide approved access for fire protection prior to any construction. Ref. CFC 503.1
73. Construction Permits: Building construction plans shall be submitted to the Office of the Fire Marshal for review and approval. Additional fire and life safety conditions of approval may be determined after this review is completed.
74. Hazardous Materials: Prior to building permit issuance, a hazardous materials inventory statement shall be provided to the Office of the Fire Marshal. Approved

chemical classification forms and safety data sheets shall be provided with the hazardous materials inventory statement. Ref. CFC 5001.5.2

75. Fire Sprinkler System: All new commercial structures 3,600 square feet or larger shall be protected with a fire sprinkler system. Ref CFC 903.2 as amended by the City of Desert Hot Springs.
76. Fire Alarm and Detection System: A sprinkler monitoring system and/or fire alarm system may be required and determined at time of building plan review. Ref. CFC 903.4, CFC 907.2 and NFPA 72.
77. Buildings classified as “high-rise” and buildings greater than 300,000 square feet in area shall be provided with a Fire Command Center (F.C.C.) for fire department operations. The F.C.C. shall be located adjacent to the main lobby, be accessible from the exterior, and be at the level of fire department vehicular access. The F.C.C. shall be a minimum of 200 square feet in area with a minimum dimension of 10 feet; exception – F.C.C. required solely because a building is greater than 300,000 sq. ft. in area shall be a minimum of 96 sq. ft. with a minimum dimension of 8 feet. The F.C.C. shall be separated from the remainder of the building by not less than a two-hour fire barrier constructed in accordance with the California Building Code. The F.C.C. shall contain features set forth in the California Fire Code Section 508.1.6; exception – F.C.C. required solely because a building is greater than 300,000 sq. ft. in area shall comply with NFPA 72 and contain the features set forth in Section 508.1.6 subsections 5, 8, 10, 12, 13, and 14. The features set forth in Section 508.1.6 subsections 1, 2, 3, 4, 6, 7, 9, 11, 15, 16, 17, 18, and 19 shall be required when such building contains systems or functions related to these features. If the building will be classified as “high-rise” then all the provisions specified in the CFC for a high-rise building will be applicable.
78. Knox Box and Gate Access: Buildings shall be provided with a Knox Box. The Knox Box shall be installed in an accessible location approved by the Office of the Fire Marshal. Electric gate operators shall be provided with Knox key switches. Electric gate operators shall also be connected to a remote signal receiver compatible for use with the preemption devices on the Riverside County fire apparatus. The gate shall automatically open upon receiving a remote signal from the fire apparatus and remain in the fully open position for a minimum of 30 seconds. Ref. CFC 506.1
79. Addressing: Commercial buildings over 25 feet in height shall display street numbers, with a minimum numeral height of 24 inches, at a prominent location on the street side of the premises and additional locations as required. Ref. CFC 505.1
80. Emergency Responder Radio Coverage Systems: Projects that do not meet the exceptions set forth by the Riverside County Office of the Fire Marshal shall provide plans for an emergency responder radio coverage system. Ref. CFC 510.1 and Riverside County Office of the Fire Marshal Technical Policy #TP19-002

81. Project will have a cumulative adverse affect on the Fire Department's ability to provide services. Developer shall be responsible for the payment of Development Impact Fees (DIF) to offset future departmental needs to adequately serve this project.

### **Building & Safety Department Conditions**

82. Project shall comply with the adopted California Building Standards Code (Title 24, California Code of Regulations) and other adopted City Ordinances which include the following:
- a. CA Building Code
  - b. CA Plumbing Code
  - c. CA Mechanical Code
  - d. CA Electrical Code
  - e. CA Fire Code
  - f. CA Green Building Standards Code
  - g. CA Energy Code
83. As applicable, automatic fire sprinkler systems shall be installed in all new construction as per Chapter 9 of the California Building code and per City Ordinance. Design and type of system shall be based upon the requirements of the California Building Code, the California Fire Code and the requirements of the Fire Department.
84. The requirements of the Department of Environmental Health Services and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
85. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall obtain a Temporary Use Permit and comply with the City of Desert Hot Springs requirements.
86. All property lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.

### **Mission Springs Water District Conditions**

#### **Sewer Service**

The following conditions shall apply to assure that proposed sewer infrastructure will be in place prior to final surface improvements for 20<sup>th</sup> Avenue:

87. The developer shall comply with all rules, laws, ordinances, guidelines, and regulations of the District at the time the sewer service application is submitted.
88. The developer shall comply with all the District standards, specifications and conditions, and have final approval of all design plans by the District Engineer or his/her designee, and the District General Manager.
89. MSWD will agree to execute a reimbursement agreement requiring properties connecting to the sewer pay the prorated cost for the design and construction costs to the developer prior to connection.
90. The developer/property owner shall complete an application for sewer service with payment of all applicable fees, charges, and deposits at the time of application (i.e., multi-family, residential, commercial sewer connection fees per current MSWD fee schedules).
91. MSWD may reduce the required fees based on the larger pipe size above the required service for the development.

### **Water Service**

Water service is available for the project subject to the following conditions of service:

92. The developer shall comply with all the District standards, specifications and conditions, and have final approval of all design plans by the District Engineer or his/her designee, and the District's General Manager.
93. The developer must submit hydraulic calculations to the District indicating the availability of the required domestic per AWWA standards and fire flows as determined by the Riverside County Fire Department. These calculations shall be based on a current fire hydrant flow test on which can be ordered through the MSWD Engineering Department.
94. The points of connection for all domestic, irrigation, and fire service for this project shall be the existing 24" main in 20<sup>th</sup> Avenue and the existing 12" water main located in the intersection of 19<sup>th</sup> Avenue and Calle De Los Romos.
95. The developer shall design and construct new ductile iron water mains of appropriate size based on submitted hydraulic calculations from 20<sup>th</sup> avenue to 19<sup>th</sup> Avenue in Calle De Los Romos and in 19<sup>th</sup> Avenue to the project's east

boundary.

96. The installation of backflow prevention devices is required for all non-residential domestic, fire, and irrigation service connections.
97. Installation of private fire line services may be required per Riverside County Fire Department Standards. Double check detector assemblies (DCDA) per MSWD Standards will be a requirement at the time of installation.
98. The developer shall provide plumbing plans with fixture units for District review of meter and service size.
99. MSWD requires having all its facilities within the public right-of-way or recorded and dedicated easements.
100. The developer is required to apply for water service and submit payment of District fees, charges, and deposits. The water meter and connection fees will be based on the actual meter sizes and quantities shown on the approved plans. All fees are subject to change based on the time of application for services from the District.
101. Senate Bill 610 requires the preparation of a WSA for development projects that are subject to the California Environmental Quality Act (CEQA) and defined as "Projects" in the State Water Code. Senate Bill 221 requires preparation of a WSV for projects that are subject to approval of a development agreement or tentative map that includes a subdivision. A combined WSA/WSV must be prepared and approved by staff for the Project Viento. The development project includes a construction of approximately 3,424,698 square-foot multi-story warehouse and distribution center for consumer products on approximately 94.62 acres and proposed adoption of a General Plan Update EIR addendum. The WSA/WSV will be included in the CEQA documents by the City of Desert Hot Springs as the lead agency

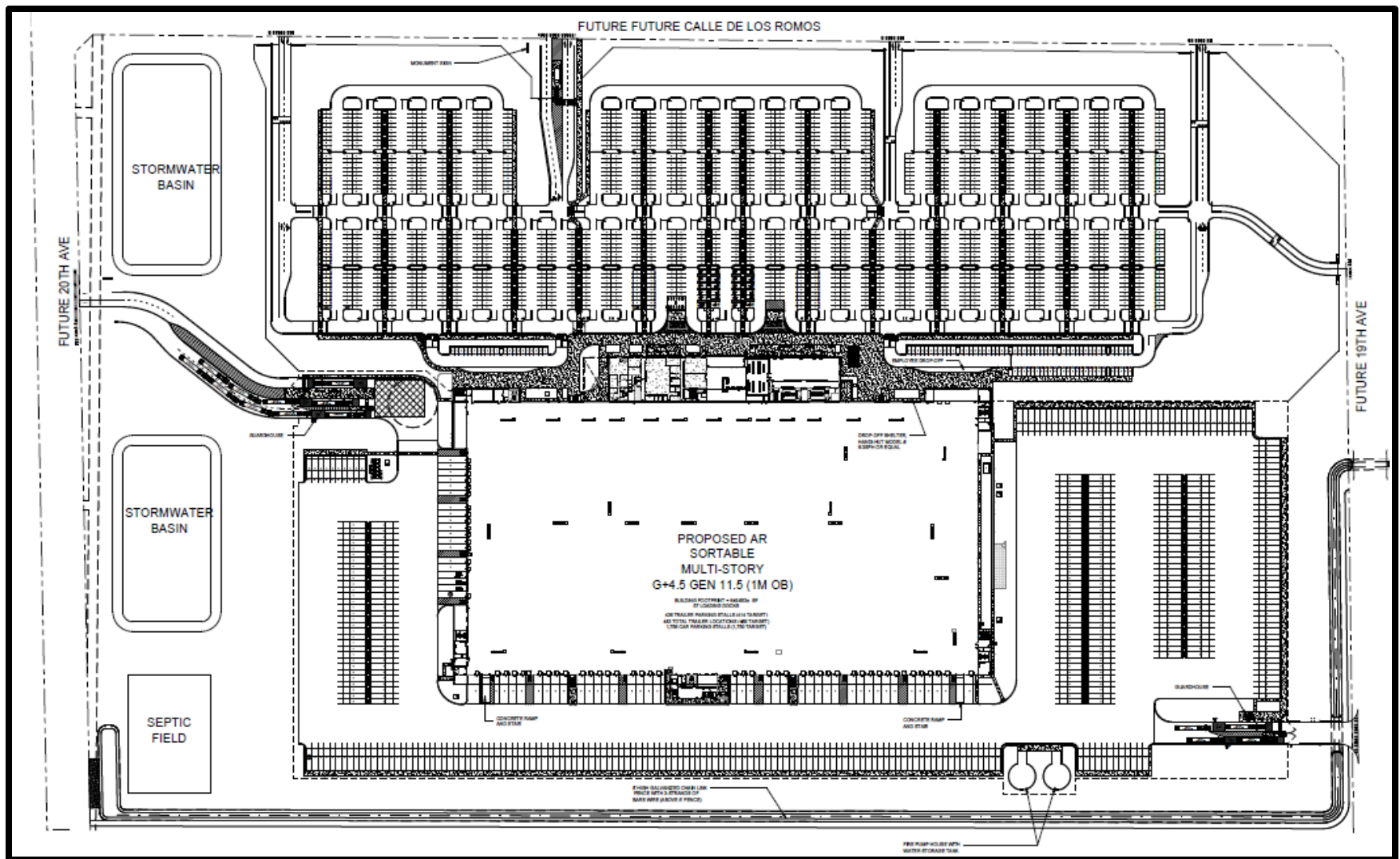
## **Landscape**

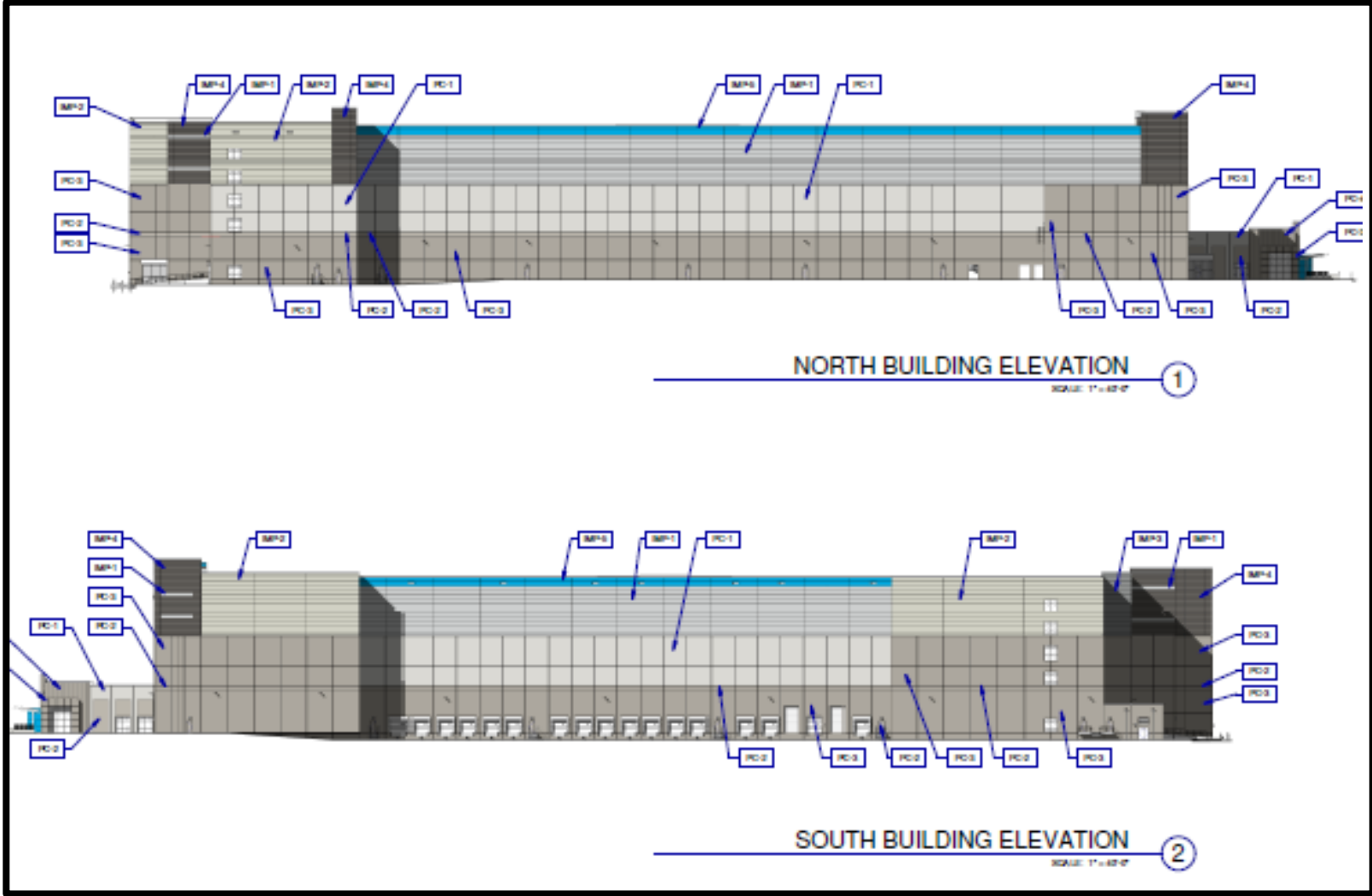
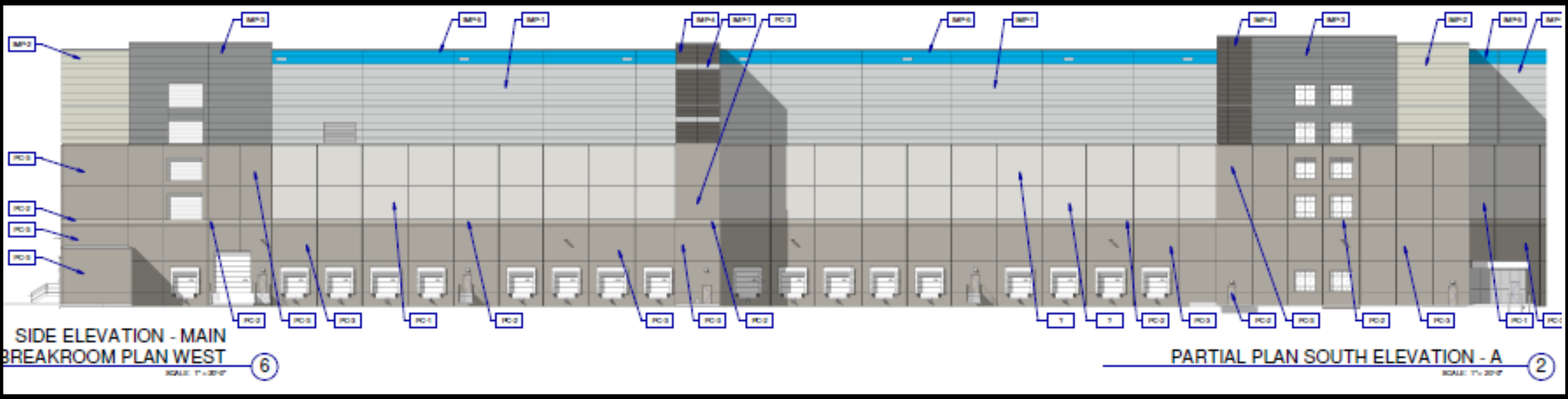
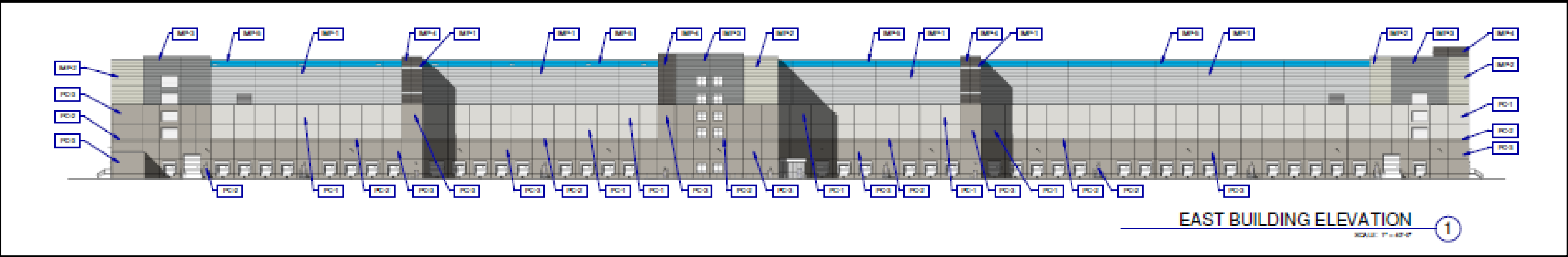
### **As applicable per City requirements:**

All new and rehabilitated residential and commercial development shall comply with the *Mission Springs Water District's Water Efficient Landscaping Guidelines* (guidelines are available at [www.mswd.org](http://www.mswd.org)). This policy requires outdoor water conservation practices within the MSWD service area, specifically: (1) the creation of landscape plans featuring the use of California native desert friendly plants; and (2) the preparation of irrigation plans detailing water efficient irrigation technology systems (e.g., drip irrigation, evapotranspiration irrigation controllers, etc.) appropriate to an arid desert climate. For additional details regarding plan check and inspection fees, please contact Engineering Department via email at [Engineering@mswd.org](mailto:Engineering@mswd.org) or (760) 329-6448 ext. 122.









## **EXHIBIT 4**

### **General Plan Update Environmental Impact Report**

[CLICK HERE](#) to view (47 MB)

## **Addendum to the Desert Hot Springs General Plan Environmental Impact Report for Project Viento City of Desert Hot Springs, Riverside County, California**

Prepared for:  
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Angela Wolfe, Project Manager

Date: February 23, 2022



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## ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
APN	Assessor’s Parcel Number
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
BAU	Benefit Assessment Unit
BMP	Best Management Practice
BP	Business Park
BRA	Biological Resources Assessment
C-BP	Commercial Business Park
C-H	Highway Commercial
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CAP	Climate Action Plan
CBC	California Building Standards Code
CCA	Community Choice Aggregation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEHC	California Essential Habitat Connectivity
CEQA	California Environmental Quality Act
CO	carbon monoxide
CO <sub>2</sub> e	carbon dioxide equivalent
COA	Condition of Approval
CRA	Cultural Resources Assessment
CREC	Controlled Recognized Environmental Condition
CRHR	California Register of Historical Resources
CRP	Coating Restriction Plan
CRPR	California Rare Plant Rank
CVCC	Coachella Valley Conservation Commission
CVMSHCP	Coachella Valley Multiple Species Habitat Conservation Plan
CVSIP	Coachella Valley PM <sub>10</sub> State Implementation Plan
CVWD	Coachella Valley Water District
DPM	diesel particulate matter
EDD	California Employment Development Department
EIC	Eastern Information Center

Acronyms and Abbreviations

EIR	Environmental Impact Report
EMFAC	Emission Factors mobile source emissions model
EOP	Emergency Operations Plan
EPA	United States Environmental Protection Agency
ESA	Environmentally Sensitive Area
FAR	floor area ratio
FCS	FirstCarbon Solutions
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FTA	Federal Transit Administration
GP	General Plan
GPU	General Plan Update
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
hp	horsepower
HREC	Historical Recognized Environmental Condition
HVAC	heating, ventilation, and air conditioning
I-L	Light Industrial
JPR	Joint Project Review
LOP	Local Oversight Program
LOS	Level of Service
LST	localized significance threshold
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MDP	Master Drainage Plan
mgd	million gallons per day
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
mph	miles per hour
MS4	Municipal Separate Storm Sewer System
MSHCP	Multiple Species Habitat Conservation Plan
MSWD	Mission Springs Water District
MT	metric tons
NAHC	Native American Heritage Commission
ND	Negative Declaration
NO <sub>2</sub>	nitrogen dioxide
NO <sub>x</sub>	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System

NRHP	National Register of Historic Places
OS-C	Open Space–Conservation
PCE	passenger car equivalent
PM <sub>10</sub>	particulate matter less than 10 microns in diameter
PM <sub>2.5</sub>	particulate matter less than 2.5 microns in diameter
PRC	Public Resources Code
RCDEH	Riverside County Environmental Health Department
RCFD	Riverside County Fire Department
REC	Recognized Environmental Condition
RivTAM	Riverside County Traffic Analysis
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SGMA	Sustainable Groundwater Management Act
SIP	State Implementation Plan
SLCP	Short-Lived Climate Pollutant
SoCalGas	Southern California Gas Company
SOI	Sphere of Influence
SO <sub>x</sub>	sulfur oxide
SRA	State Responsibility Area
SSAB	Salton Sea Air Basin
State Water Board	California State Water Resources Control Board
SVP	Society of Vertebrate Paleontology
SWPPP	Storm Water Pollution Prevention Plan
TA	Traffic Analysis
TCR	Tribal Cultural Resource
TDM	Transportation Demand Management
UCMP	University of California Museum of Paleontology
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	Urban Water Management Plan

***Acronyms and Abbreviations***

---

Valley Air District	San Joaquin Valley Air Pollution Control District
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOC	volatile organic compound
WEAP	Worker Environmental Awareness Program
WSA	Water Supply Assessment
WTP	Water Treatment Plant
WVWRF	West Valley Water Reclamation Facility
WWTP	Wastewater Treatment Plant
ZEV	Zero-Emission Vehicle
ZNE	Zero Net Energy

## SECTION 1: INTRODUCTION

This Addendum, checklist, and attached supporting documents have been prepared to determine whether and to what extent the 2020 General Plan Update and Zoning Amendment Environmental Impact Report (2020 EIR), (State Clearinghouse No. 2019080101) certified by the City of Desert Hot Springs on May 26, 2020 remains sufficient to address the potential impacts of the proposed Project Viento (proposed project), or whether additional documentation is required under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] § 21000, *et seq.*).

### 1.1 - Addendum/Environmental Checklist

Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162, 15163 and 15164, subd. (a), the attached Addendum has been prepared to evaluate the proposed project. The attached Addendum uses the standard environmental checklist categories provided in Appendix G of the CEQA Guidelines, but provides answer columns for evaluation consistent with the considerations listed under CEQA Guidelines Section 15162, subd. (a).

### 1.2 - Environmental Analysis and Conclusions

CEQA Guidelines Section 15164, subd. (a) provides that the lead agency or a responsible agency shall prepare an Addendum to a previously certified Environmental Impact Report (EIR) or Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR or ND have occurred (CEQA Guidelines, § 15164, subd. (a)).

An Addendum need not be circulated for public review but can be included in or attached to the Final EIR or ND (CEQA Guidelines § 15164, subd. (c)). The decision-making body shall consider the Addendum the Final EIR prior to making a decision on the proposed project (CEQA Guidelines § 15164, subd. (d)). An agency must also include a brief explanation of the decision not to prepare a subsequent EIR or ND pursuant to Section 15162 (CEQA Guidelines § 15164, subd. (e)).

Consequently, once an EIR or ND has been certified for a project, no subsequent EIR or ND is required under CEQA unless, based on substantial evidence:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or ND . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;<sup>1</sup>
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or ND . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

<sup>1</sup> CEQA Guidelines Section 15382 defines “significant effect on the environment” as “. . . a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance . . .” (see also Public Resources Code [PRC], § 21068).

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted . . . shows any of the following:
  - A. The project will have one or more significant effects not discussed in the previous EIR or ND or negative declaration;
  - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR or ND;
  - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines, Section 15162, subd. (a); see also Public Resources Code, Section 21166).

This Addendum, checklist, and attached documents constitute substantial evidence supporting the conclusion that preparation of a supplemental or subsequent EIR or ND is not required prior to approval of the above-referenced permits by responsible and trustee agencies, and provides the required documentation under CEQA.

This Addendum addresses the conclusions of the Desert Hot Springs General Plan EIR.

### 1.2.1 - Findings

The proposed project reflects minor changes and additions to the project described in the certified Desert Hot Springs General Plan EIR. There are no substantial changes resulting from the proposed project or in the circumstances in which the project will be undertaken that require major revisions of the 2020 EIR. The proposed project does not require preparation of a new subsequent or supplemental EIR, due to either the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As illustrated herein, the proposed project is consistent with the Desert Hot Springs General Plan EIR and would involve only minor changes; therefore, an Addendum is appropriate CEQA compliance for the proposed project.

There are no substantial changes from the proposed project or in the circumstances in which the proposed project will be undertaken that require major revisions of the Final EIR, or preparation of a new subsequent or supplemental EIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As illustrated herein, the proposed project is consistent with the Final EIR, and would involve only minor changes.

### 1.2.2 - Conclusions

The City of Desert Hot Springs may approve the proposed project based on this Addendum. The impacts of the proposed project remain within the impacts previously analyzed in the 2020 EIR (CEQA Guidelines § 15164).

The proposed project does not require any major revisions to the 2020 EIR. No new significant information or changes in circumstances surrounding the proposed project have occurred since the certification of the 2020 EIR. Therefore, the previous CEQA analyses completed for the certified 2020 EIR remain adequate. The applicable mitigation measures from the 2020 EIR would be imposed on the proposed project as described herein.

### 1.3 - Mitigation Monitoring Program

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed project in order to monitor the implementation of the mitigation measures that have been adopted for the proposed project. Any long-term monitoring of mitigation measures imposed on the overall development will be implemented through the MMRP.

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## SECTION 2: PROJECT DESCRIPTION

The project applicant, Seefried Industrial Properties, Inc., is proposing to construct an approximately 3,424,698 square-foot sortable multi-story e-commerce warehouse and distribution center for consumer products on approximately 94.62 acres within the City of Desert Hot Springs, California.

### 2.1 - Project Location and Setting

#### 2.1.1 - Location

The 94.62-acre project site is located north of 20<sup>th</sup> Avenue, south of 19<sup>th</sup> Avenue, west of Little Morongo Road, and east of North Indian Canyon Drive in the City of Desert Hot Springs, in Riverside County, California, associated with Assessor's Parcel Number (APN) 666-370- 032 (Latitude 33°54' 24" North; Longitude 116°32' 01" West) (Exhibit 1).

#### 2.1.2 - Environmental Setting

##### Project Site

The 94.62-acre project site is undeveloped and surrounded primarily by undeveloped land. The project is approximately 0.40 mile north of Interstate 10 (I-10) (Exhibit 2).

##### Project Vicinity

Land surrounding the project site is mainly comprised of undeveloped land, designated as Light Industrial (I-L) to the north, Open Space—Conservation (OS-C) to the east, Business Park (C-BP) and I-L to the west, and Highway Commercial (C-H) to the south. The Willow Hole Conservation Area is located east of the site. Land remains vacant to the north, east, and south with small development to the northeast and developed land to the west and northwest of the project site, including an Arco gas station and North Palm Springs Commercial Plaza to the west and Coachillin' Business Park to the northwest. Located immediately north of the site is 19<sup>th</sup> Avenue.<sup>2</sup>

#### 2.1.3 - General Plan and Zoning

The City of Desert Hot Springs (City) consists predominantly of low-density residential development, several commercial centers at key intersections, a pedestrian scale downtown, and light industrial uses on the periphery. Much of the City, as well as areas within the City's Sphere of Influence (SOI) (collectively, Planning Area), and is currently undeveloped; there are areas on the periphery of the City where residential development has been started.<sup>3,4</sup>

The 2020 EIR envisions primarily commercial uses within the project site, as outlined in the Land Use Policy Plan of the General Plan. The entire project site is designated as Industrial with an Industrial

<sup>2</sup> The closest sensitive receptor to the project site construction footprint is a single-family residence located at 17851 Louise Street, approximately 3,370 feet northwest of the site.

<sup>3</sup> City of Desert Hot Springs. 2020. General Plan Update and Zoning Amendment Environmental Impact Report, page 2-1.

<sup>4</sup> Planning Area consists of the corporate boundaries of the City of Desert Hot Springs and its SOI. The City's corporate boundaries total 30.5 square miles, and its SOI (unincorporated Riverside County) totals 28.8 square miles for a total Planning Area of 59.3 square miles.

Cannabis Overlay (Exhibit 3). Similarly, according to the City of Desert Hot Springs Zoning Map, the entire project site is zoned as Light Industrial (I-L) with a Cannabis Overlay (Exhibit 4). Indoor cultivation of cannabis for commercial purposes occurs in the southern portion of the City along the Little Morongo Road and Indian Canyon Drive corridors. This agricultural activity is conducted indoors to allow for complete control of the growing environment with the use of artificial lighting, imported soils and fertilizers, and controlled irrigation.

## 2.2 - Project Background

### 2.2.1 - City of Desert Hot Springs General Plan

The proposed project would be consistent with the land use designation in the City of Desert Hot Springs General Plan (General Plan), which the City adopted in May 2020. Zoning and development density for the site is established by the 2020 EIR and Zoning Amendment. The 2020 EIR was certified on May 26, 2020. The 2020 EIR considered the potential environmental impacts of buildout to 2040, including the addition of approximately 59,086 people to the City's population.<sup>5</sup>

### 2.2.2 - City of Desert Hot Springs General Plan Update and Zoning Amendment Environmental Impact Report

The 2020 EIR establishes the zoning, planning, and development standards such as the allowable development density for the lands within its boundaries, within which the project site and related off-site improvement areas are wholly located.

Overall, the 2020 EIR is intended to achieve the land use, transportation, housing, and other goals of the City and reflect the community's growth over the long-term. The City prepared the Final EIR on May 1, 2020, and the related MMRP on May 6, 2020, pursuant to CEQA Guidelines. After certifying the 2020 EIR, the General Plan Update, including the Zoning Code Amendment, was approved on May 26, 2020.

The proposed project site is located in a designated Industrial Land Use zone. This designation provides for business parks and the development of any and all industrial uses operating entirely in enclosed buildings, and those requiring limited and screenable outdoor storage.<sup>6</sup> Siting industrial lands in proximity to major regional highways is also desirable.

## 2.3 - Project Characteristics

### 2.3.1 - Project Summary

The project applicant proposes to construct an approximately 3,424,698-square-foot sortable multi-story e-commerce warehouse and distribution center for consumer products constructed on approximately 94.62 acres within the City of Desert Hot Springs, California. The proposed project would include five levels, consisting of an approximately 348,749-square-foot mezzanine, and levels two through five would each be 606,574 square feet. The building footprint would be approximately

<sup>5</sup> City of Desert Hot Springs. 2020. General Plan Update and Zoning Amendment Environmental Impact Report. Page 4.14-5.

<sup>6</sup> City of Desert Hot Springs. 2020. General Plan Update and Zoning Amendment Environmental Impact Report. Page 4.11-13.

649,653 square feet. The proposed building height would be a maximum of 105 feet, and would include bike lockers, changing facilities, and showers for employees (Exhibit 5).

### 2.3.2 - Operation

The proposed project is anticipated to be occupied by a single tenant. Sortable e-commerce warehouse and distribution centers are high-cube package handling facilities that support the “first-mile” of the tenant’s fulfillment logistics network. The proposed project is intended to be used primarily for the storage and/or consolidation of goods prior to their distribution to the customer or another supporting facility. The proposed building would store, package, and fulfill orders, utilizing automation and logistics to enable highly efficient processing of goods. Thus, reducing the number of employees required and trips to/from the project, which would be expected to be generated for a similar size facility. The site would operate 24-hours a day, 365 days per year. Cold storage is not proposed as part of the project, and would not be permitted unless and until the project applicant submits new development applications to authorize cold storage, which would require future compliance with CEQA.

### 2.3.3 - Employment

Operations are expected to require 1,874 full-time employees. Employees would work in two shifts within a 24-hour period. Due to the number of employees expected, the day/night shifts are split in half with staggered start/end times 30-minutes apart to alleviate the peak traffic demand on the adjacent roadways. Most line haul trucks serving the facility arrive and depart between 7:00 p.m. and 1:00 a.m.

### 2.3.4 - Vehicular Access and Parking

I-10 would provide regional access to the project site via North Indian Canyon Drive exit, and local access would be provided via 20<sup>th</sup> Avenue, 19<sup>th</sup> Avenue, and a new 60-foot-wide public roadway. Access to the site would be available via four driveways along a proposed new access road to the west of the project site, two driveways along 19<sup>th</sup> Avenue, and one driveway along 20<sup>th</sup> Avenue.

The proposed project would provide approximately 426 trailer spaces, 483 total trailer locations, 1,756 on-site parking spaces (including 16 motorcycle spaces), and 57 loading docks. Furthermore, the proposed project would include a designated drop-off area and carpool designated parking.

### 2.3.5 - Off-site Roadway Improvements

The project’s off-site improvements would include up to 16.24-acres of street and utility improvements. Right-of-way easements are proposed along the future extension of 20th Avenue to the south and 19th Avenue to the north, and a new 60-foot-wide public roadway is proposed along the west perimeter of the project site. On the west, Proposed Calle De Los Ramos Street (Proposed Road A) would be built to the full right-of-way width of 60 feet between 19th and 20th Avenue. On the south, 20th Avenue would be improved to the full right-of-way width and on the north, 19th Avenue would also be improved to its full right-of-way width. Stop controlled intersections would be proposed for Calle De Los Ramos at 19th and 20th Avenue intersections. Street widening on 19th and 20th Avenue are proposed west of these intersections beyond the project frontages.

### 2.3.6 - Landscaping

The proposed project would include approximately 1,700,000 square feet of landscaping. The landscape design provides street frontage landscape treatments as a reflection of the community landscape standards in the area, with a mix of deciduous and broadleaf evergreen trees creating a diverse character for the large-scale site. Plant palette selection would be based on recommended plant materials from the Mission Springs Water District (MSWD) and from research of plant materials adaptable for the area, which are low water use and low maintenance. Recommended plants include, but are not limited to: strawberry tree (*Arbutus unedo*), bottle tree (*Brachychiton populneus*), ironwood (*Casuarina edquistum*), western redbud (*Cercis occidentalis*), desert willow (*Chilopsis linearis*), Saratoga laurel (*Laurus nobilis 'saratoga'*), Wilson fruitless olive (*Olea europea 'wilsonii'*), Mexican palo verde (*Parksonia aculeata*), Chinese pistache (*Pistacia chinensis*), California sycamore (*Platanus racemosa*), tipu tree (*Tipuana tipu*), Chinese elm (*Ulmus parvifolia 'true green'*), fan palm (*Washingtonia filifera*), Russian olive (*Elaeagnus angustifolia*), pineapple guava (*Feijoa sellowiana*), hollyleaf cherry (*Prunus ilicifolia*), and creeping evergreen fig (*Ficus pumila*). Landscaping would be incorporated immediately surrounding the proposed facilities in addition to the perimeter of the project site along 20<sup>th</sup> Avenue, Calle De Los Romos, and 19<sup>th</sup> Avenue (Appendix A). There would be several practical uses of planting for the site, including screening views of parking areas from off-site, providing shade canopy trees for cooling the parking lot pavement, stabilizing potential slope erosion effects, along with allowing for large areas of the site to remain undisturbed as native desert floor.

### 2.3.7 - Utilities

The proposed project would utilize existing utility connections from the following providers:

- Electricity—Southern California Edison (SCE)
- Natural Gas—Southern California Gas Company (SoCalGas)
- Potable Water—MSWD
- Wastewater—MSWD
- Solid Waste—Desert Valley Disposal

Langan will also prepare off-site wet utility (Sewer and Water) plans to serve the utility needs of the proposed project. More detailed information will be provided after confirmation with agencies. The project applicant would ensure that the proposed project would be adequately served by all required utilities. However, for the time being, off-site water lines are proposed in 19<sup>th</sup> Avenue, 20<sup>th</sup> Avenue, and Calle De Los Ramos Street, and sewer lines only in 20<sup>th</sup> Avenue. Until the main sewer lines are constructed, a temporary septic field would be installed in the southeast portion of the proposed project.

### Stormwater

Two stormwater basins would be constructed on the southern portion of the project site. One temporary basin would be located at the southeast corner of the site.

Proposed infiltrations basins are located south of the site to meet hydrological and water quality requirements. A 10-foot-wide drainage swale, with a natural bottom and concrete side slopes, is proposed along the east property line to capture off-site drainage north of the site.

Proposed inlet structures are located throughout the site to capture surface runoff. Roof downspouts are connected to the proposed underground on-site storm drainage system, which would convey flows to the south and discharge into the infiltration basins. Stormwater drainage from the west half (Basin No. 1) and east half (Basin No. 2) of the site would discharge into Infiltration Basin No. 1 and Infiltration Basin No. 2, respectively.

## **Wastewater**

The project site would eventually be served by public sanitary sewer located in 20<sup>th</sup> Avenue; however, it is anticipated that sewer service would not be available until after the occupancy of the building. The project applicant is proposing a temporary septic field at the southeast corner of the proposed project as an interim measure. This system would remain in use until the public sewer is available, at which point the system would be decommissioned.

### **2.3.8 - Construction**

The following construction schedule was assumed for the purposes of this environmental analysis. Grading of the proposed project would start in June 2022, and would take approximately 40 days. Construction would be completed in one phase, beginning in June 2022, and concluding in September 2023. The proposed project is expected to be operational in the fourth quarter of 2023.

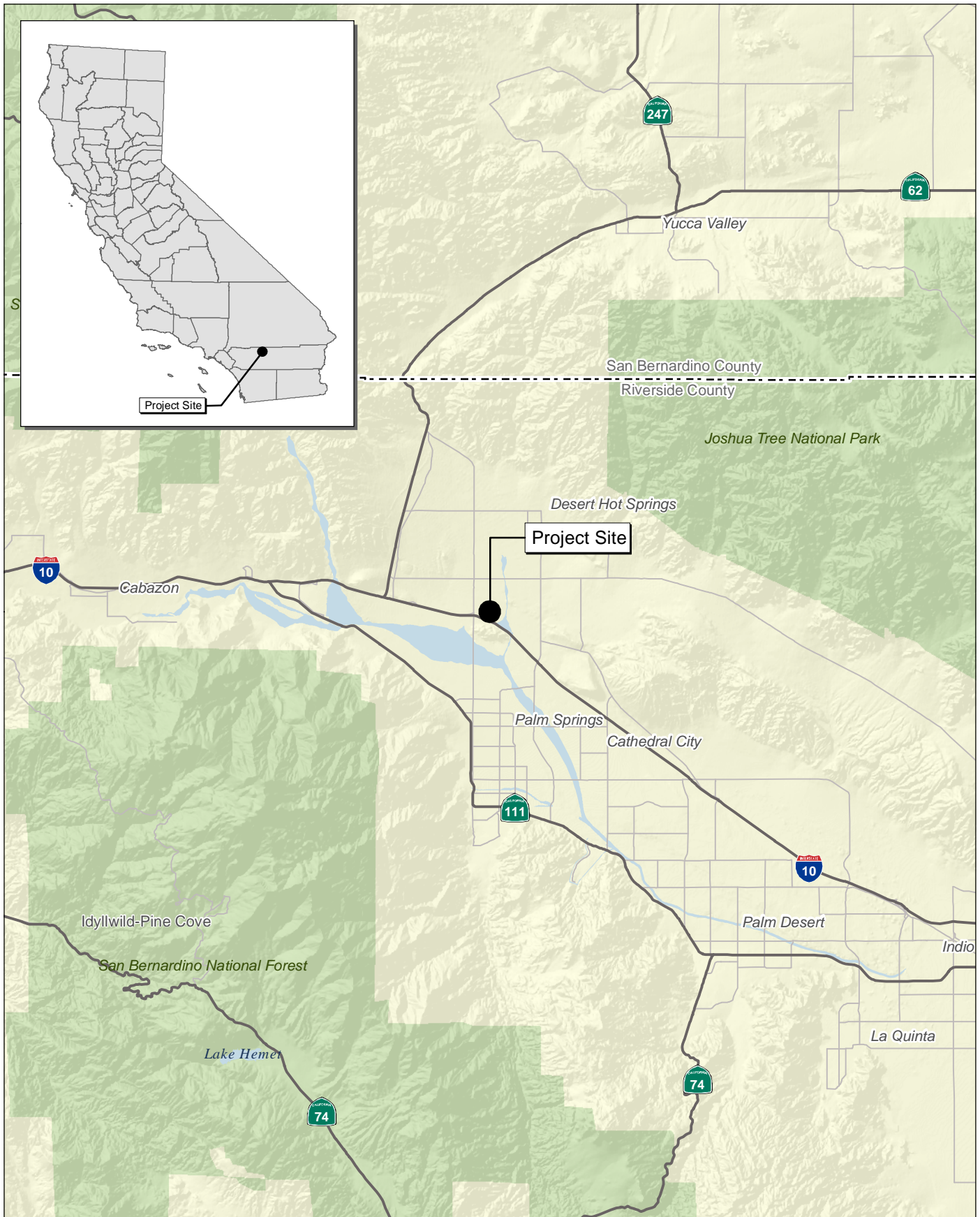
## **2.4 - Discretionary Approvals**

The proposed project requires the following discretionary approvals from the City of Desert Hot Springs:

- Design Review
- Grading Permit
- Building Permit

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Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

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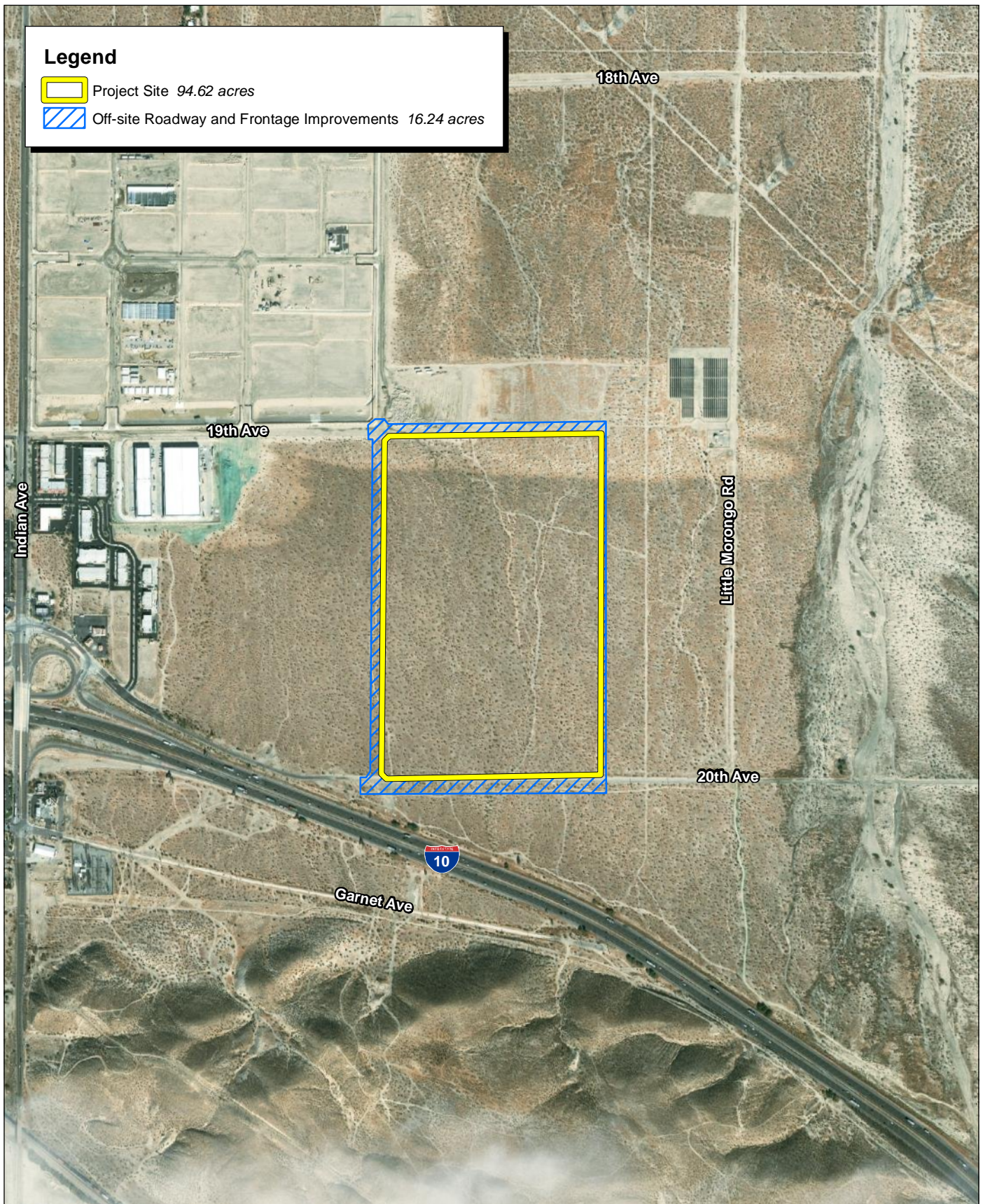
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## Exhibit 1 Regional Location Map

SEEFRIED INDUSTRIAL PROPERTIES, INC.  
PROJECT VIENTO  
ADDENDUM

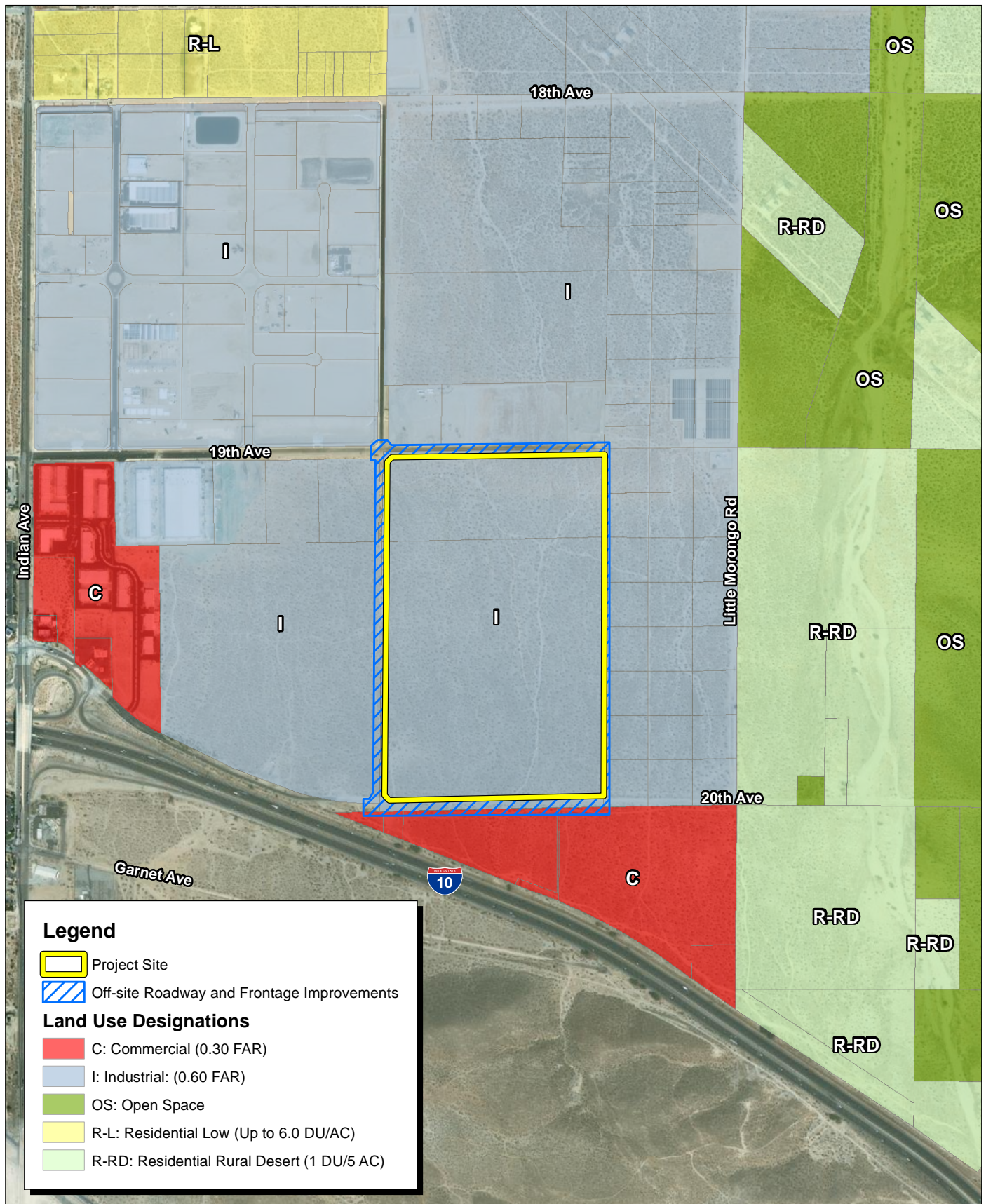
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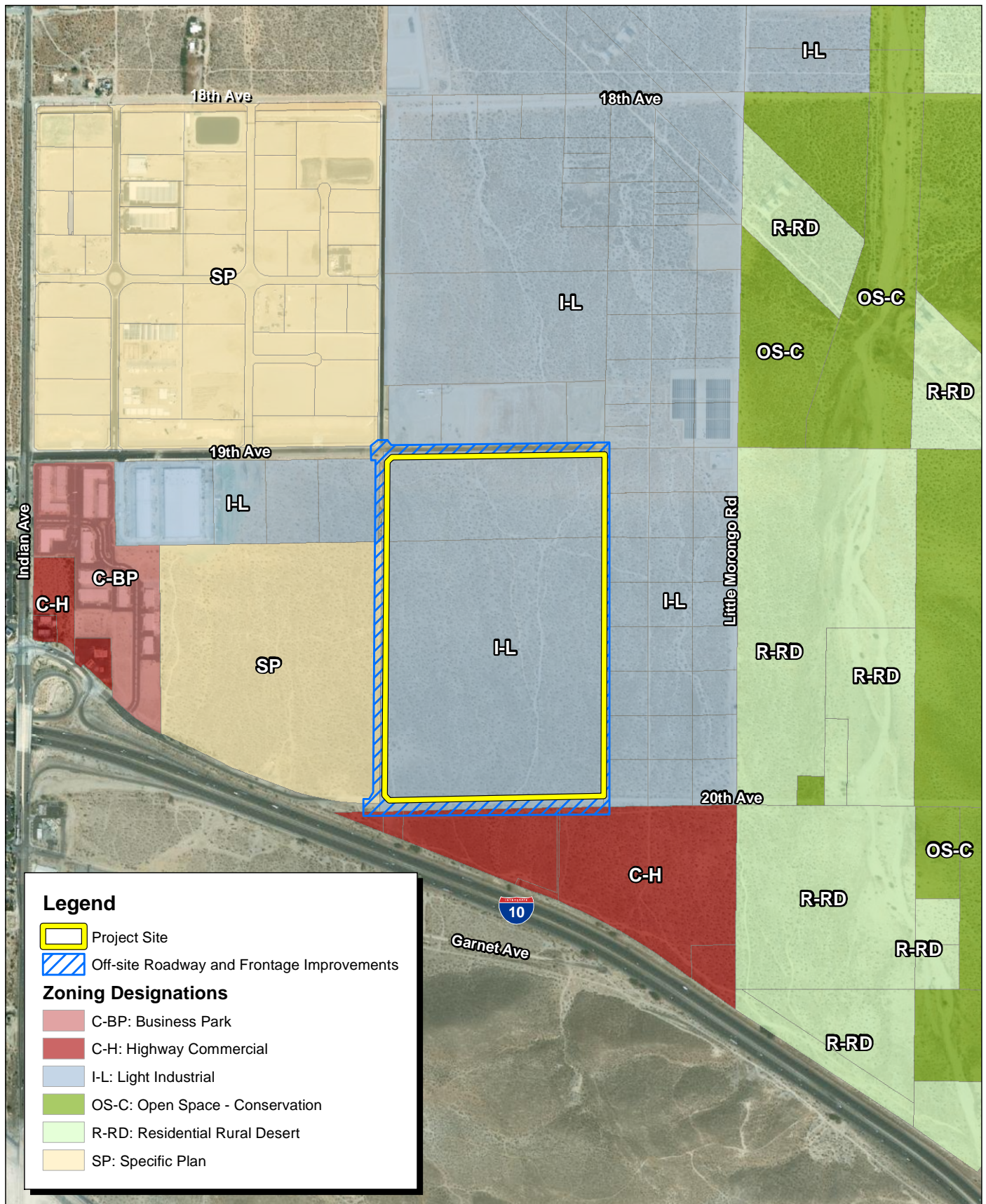
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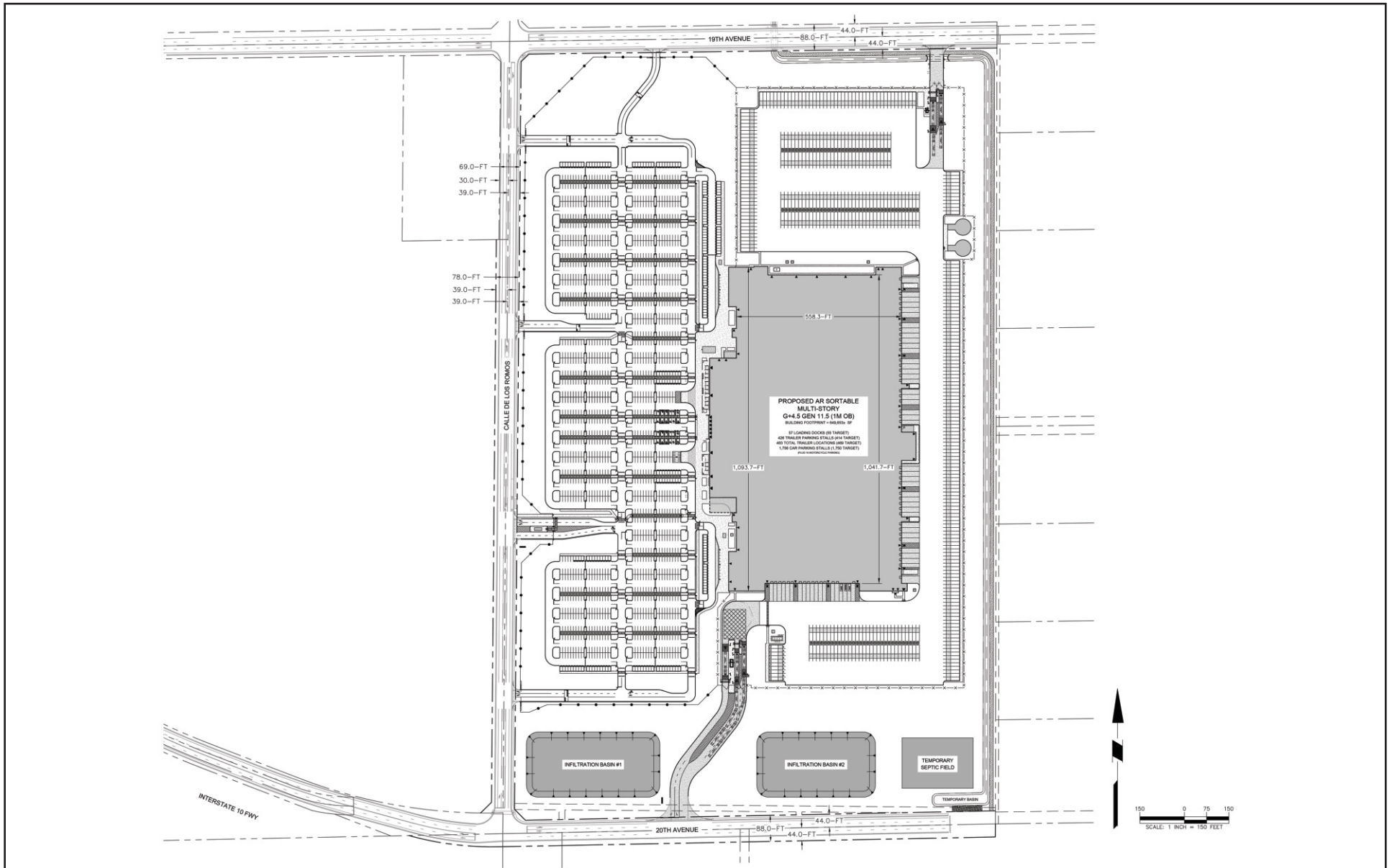




Source: ESRI Aerial Imagery. Riverside County, City of Desert Hot Springs.



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Source: Langan Engineering and Environmental Services, Inc., 12/14/2021.



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## SECTION 3: CEQA CHECKLIST

The purpose of the checklist is to evaluate the categories in terms of any changed condition (e.g., changed circumstances, project changes, or new information of substantial importance) that may result in a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) (CEQA Guidelines § 15162).

The questions posed in the checklist are consistent with the thresholds analyzed in the 2020 EIR and are based on Appendix G of the CEQA Guidelines. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the Final EIR. These environmental categories might be answered with a “no” in the checklist, since the proposed project does not introduce changes that would result in a modification to the conclusion of the previously approved CEQA document.

This Addendum addresses the conclusions of the Desert Hot Springs General Plan EIR.

### 3.1 - Explanation of Checklist Evaluation Categories

#### (1) Conclusion in Desert Hot Springs General Plan EIR and Related Documents

This column summarizes the conclusion of the Desert Hot Springs General Plan EIR relative to the environmental issue listed under each topic.

#### (2) Do the Proposed Changes Involve New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(1), this column indicates whether the changes represented by the revised project will result in new significant environmental impacts not previously identified or mitigated by the, Desert Hot Springs General Plan EIR or whether the changes will result in a substantial increase in the severity of a previously identified significant impact.

#### (3) New Circumstances Involving New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(2), this column indicates whether there have been substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions to the Desert Hot Springs General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

#### (4) New Information Requiring New Analysis or Verification?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3)(A-D), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Desert Hot Springs General Plan EIR was adopted, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous Desert Hot Springs General Plan EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous Desert Hot Springs General Plan EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the additional analysis completed as part of this environmental review were to find that the conclusions of the Desert Hot Springs General Plan EIR remain the same and no new significant impacts are identified, or identified impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered “no” and no additional environmental document would be required.

## **(5) Mitigation Measures Implemented or Address Impacts**

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3), this column indicates whether the Desert Hot Springs General Plan EIR provides mitigation measures to address effects in the related impact category. Any previously adopted mitigation measures will be identified. The response will also address proposed revisions to previously adopted mitigation measures. These mitigation measures will be implemented with the construction of the project, as applicable. If “NA” is indicated, the Final EIR has concluded that the impact either does not occur with this project or is not significant, and therefore no additional mitigation measures are needed.

## **3.2 - Discussion and Mitigation Sections**

### **(1) Discussion**

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

### **(2) Mitigation Measures**

Applicable mitigation measures from the Desert Hot Springs General Plan EIR that apply to the proposed project are listed under each environmental category.

### **(3) Conclusions**

A discussion of the conclusion relating to the analysis is contained in each section.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>I. Aesthetics, Light, and Glare</b> <i>Except as provided in Public Resources Code Section 21099, would the project:</i>					
a) Have a substantial adverse effect on a scenic vista?	Less than significant impact.	No	No	No	None
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?	Less than significant impact.	No	No	No	None
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than significant impact.	No	No	No	None
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact.	No	No	No	None

## Discussion

- a) Based on the 2020 EIR, the City found that projects consistent with the General Plan Update (GPU) would not impact views of the major hillsides and ridgelines or obstruct any significant view vista. In addition, Policy LU-12.5 assures the development design enhances the aesthetics of the community and respects surrounding existing and planned land uses to preserve any scenic vistas. To protect dark sky resources, Policy OS-7.2 and OS-7.10 which limit the amount and type of lighting within new developments, reduce impacts to scenic vistas by avoiding extreme changes in the scale of adjacent development sites while protecting and maintaining

the existing views of the surrounding hillsides and mountains. The 2020 EIR concluded that impacts would be less than significant.

The proposed project's potential impacts would be consistent with what was analyzed in the 2020 EIR. Views from the project site include the San Jacinto mountain range to the southwest, the San Bernardino mountain range to the northwest, Joshua Tree National Park to the east, and Coachella Valley Preserve northeast of the project site. However, the proposed project's construction of a warehouse and distribution center would not alter scenic views. The proposed project would include a building height of 105 feet (maximum), which would be consistent with the maximum allowable building height of 120 feet.<sup>7</sup> In addition, the proposed project would comply with applicable 2020 EIR and State policies related to visual and scenic resources. Therefore, the proposed project would not introduce environmental impacts related to a scenic vista or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- b) According to the 2020 EIR, the GPU would not include any aspect that would result in damaging scenic resources, such as trees, rock outcroppings, and historic buildings in proximity to a State Scenic Highway as proposed in Policy OS-7.1. The 2020 EIR concluded that impacts would be less than significant.

State Route (SR) 62 and I-10 have been identified as State and County eligible Scenic Highways. The portion of SR- 62 and I-10 that has officially designated Scenic Highway is approximately 3.95 miles east of the project site. The existing visual attributes of the I-10 adjacent to the project site displays a fragmented mix of commercial and industrial uses without a coherent aesthetic or sense of place visual appearance. The project site does not contain scenic resources such as trees, rock outcroppings, or historic buildings. Therefore, the proposed project would not introduce environmental impacts related to scenic resources or a State Scenic Highway or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis required.

- c) According to the 2020 EIR, development consistent with the GPU would not substantially degrade the existing visual character or quality of the City. The GPU includes policies concerning compatibility, including requiring that new development be visually and functionally compatible with established residential neighborhoods, industrial and commercial areas, and natural desert habitat areas.

The proposed project is located in a land use area designated Industrial and is in an urbanized area. The Industrial (I) designations allow for large-scale warehouse and distribution facilities and are encouraged to locate near freeways and freeway access routes and away or buffered from residential uses.<sup>8</sup> The project site is primarily surrounded by undeveloped land and is located on flat land approximately 0.37 mile from the closest development and, therefore, shall

<sup>7</sup> City of Desert Hot Springs. 2021. Ordinance No. 746. Website: [https://content.qcode.us/lib/desert\\_hot\\_springs\\_ca/alerts/documents/ordinance\\_746.pdf](https://content.qcode.us/lib/desert_hot_springs_ca/alerts/documents/ordinance_746.pdf). Accessed February 18, 2022.

<sup>8</sup> City of Desert Hot Springs. 2021. Ordinance No. 746. Website: [https://content.qcode.us/lib/desert\\_hot\\_springs\\_ca/alerts/documents/ordinance\\_746.pdf](https://content.qcode.us/lib/desert_hot_springs_ca/alerts/documents/ordinance_746.pdf). Accessed February 18, 2022.

not alter public views from surrounding developments. Therefore, the proposed project is consistent with the development contemplated in the GPU and would not introduce environmental impacts related to applicable zoning and other regulations governing scenic quality or the visual character and quality of the site or public views of the site, or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- d) According to the 2020 EIR, new sources of light or glare would not adversely affect day or nighttime views in the City because outdoor lighting is regulated by 17.40.140 of the City's Municipal Code, which requires minimizing the impacts of new sources of light and glare so that they do not extend off the boundary of the parcel. Administration of policies and regulations through the City's routine design review and plan check procedures will ensure that new light sources associated with future development are appropriately designed and maintained to minimize impacts associated with light and glare.

The development within the project site would use lighting consistent with the development standards and design guidelines of the GP and the City's Municipal Code, which call for high-quality, low residential impact developments.<sup>9</sup> Therefore, the proposed project would not introduce environmental impacts related to the visual character or quality of the site and its surroundings or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None required.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to aesthetics, light, and glare resources beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

<sup>9</sup> City of Desert Hot Springs. 2020. General Plan. Land Use and Community Design Element, page LU-16.

Environmental Issue Area	Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>II. Agricultural and Forest Resources</b> <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>					
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?	No impact.	No	No	No	None
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No impact.	No	No	No	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))?	No impact.	No	No	No	None
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No impact.	No	No	No	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 use?	No impact.	No	No	No	None

## Discussion

- a) According to the 2020 EIR, the City’s Planning Area mapped by the California Department of Conservation does not currently contain any land identified as “important farmland,” (Prime Farmland, Farmland of Statewide Importance, Unique Farmland and Farmland of Local Importance). Only small-scale commercial outdoor agricultural uses have historically occurred within the Planning Area.<sup>10</sup>

The entire project site is within the City’s Planning Area, which does not support agricultural land activities. The California Department of Conservation considers the project site Urban and Built-Up Land, and there are no agricultural land uses identified within the site.<sup>11</sup> Accordingly, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and no impact would occur. Therefore, the proposed project would not introduce environmental impacts related to the conversion of farmland land uses to non-agricultural land uses or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- b) According to the 2020 EIR, the City’s Planning Area is classified as Non-Williamson Act Land, including Non-Enrolled Land and Urban and Build-Up Land. The Planning Area does not contain any Williamson Act land. Therefore, there would be no impact.

The project site is located in an Industrial and Commercial designated land use area and does not support agricultural uses. Thus, there would be no impact resulting from the development of a warehouse and distribution facility. As stated above, the City’s Planning Area, which includes the project site, is classified as Non-Williamson Act Land. As such, the proposed project would not introduce environmental impacts that would conflict with existing agriculture zoning or a Williamson Act contract or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- c) According to the 2020 EIR, the City’s Planning Area currently does not have any land zoned or utilized for agricultural or forestry purposes. There are no existing lands defined as Timberland in the Planning Area. Therefore, the proposed project would not impact Timberland zoned lands. There would be no impact.

The project site does not include any forest or timberland uses. No impact would occur with development of a warehouse and distribution facility. Therefore, the proposed project would not introduce any new environmental impacts. No additional analysis is required.

- d) According to the 2020 EIR, the City’s Planning Area does not contain forest land. This condition precludes the possibility of the City converting forest land to non-forest use. Therefore, it was determined that no impacts would occur.

<sup>10</sup> City of Desert Hot Springs. General Plan Update and Zoning Amendment Environmental Impact Report 2020, page 4.2-3.

<sup>11</sup> California Department of Conservation. 2021. California Important Farmland Finder. Website: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed July 23, 2021.

The project site consists of urban and built-up land and does not contain forest uses. These conditions preclude the possibility of loss or conversion of forestlands to non-forest uses. No impacts would occur with the development of a warehouse and distribution facility. Therefore, the proposed would not introduce any new environmental impacts. No additional analysis is required.

- e) According to the 2020 EIR, the City’s Planning Area does not currently have any lands zoned for commercial agricultural or forestry purposes, which precludes the possibility of adverse effects to agricultural or forest resources. Therefore, it was determined that no impacts would occur.

The project site does not contain agricultural, or forest uses, which precludes the possibility of loss or conversion of agricultural or forestlands to non-agricultural or non-forest uses. No impacts would occur with development of a warehouse and distribution facility. Therefore, the proposed project would not introduce any new environmental impacts. No additional analysis is required.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None required.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to agricultural and forest resources beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.



Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>III. Air Quality</b> <i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Significant and unavoidable impact.	No	No	No	MM AQ-2A and MM AQ-2B
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	Significant and unavoidable impact.	No	No	No	MM AQ-2A and MM AQ-2B
c) Expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact.	No	No	No	None
d) Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?	Less than significant impact.	No	No	No	None

## Discussion

- a) The 2020 EIR determined that the anticipated potential growth under implementation of the GPU would exceed the Southern California Association of Government (SCAG) growth projection and, therefore, be inconsistent with the 2016 Air Quality Management Plan (AQMP). The 2020 EIR concluded that construction emissions would not exceed the South Coast Air Quality Management District (SCAQMD) regional or local significance thresholds with the inclusion of mitigation measures and, therefore, would not have the potential to cause or contribute to new or more frequent exceedances of national and State ozone standards. However, the population and employment growth that could occur under the 2020 EIR would be inconsistent with the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) growth forecast and could generate operational emissions of reactive organic gases (ROG), oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), particulate matter less than 10 microns in diameter (PM<sub>10</sub>), and particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>) that increase the frequency and/or severity of air quality violations in the Coachella Valley or otherwise impede attainment of standards, even with the inclusion of mitigation measures designed to reduce project emissions. Therefore, the 2020 EIR concluded that this impact

would be significant and unavoidable, and the City adopted a statement of overriding considerations when certifying the 2020 EIR.

The project site is located within the jurisdiction of the SCAQMD. The SCAQMD is responsible for preparing air quality attainment plans to be transmitted to the California Air Resources Board (ARB) and the United States Environmental Protection Agency (EPA) for incorporation into the State Implementation Plan (SIP). The Coachella Valley PM<sub>10</sub> State Implementation Plan (CVSIP) establishes additional controls needed to demonstrate attainment of the PM<sub>10</sub> standards in the Coachella Valley, located in the Salton Sea Air Basin (SSAB). The SCAQMD has designated this area as a serious nonattainment area for PM<sub>10</sub>.<sup>12</sup>

Considering the recommended criteria in the SCAQMD's 1993 Handbook, this analysis uses the following criteria to address this potential impact:

- **Criterion 1:** Project's contribution to air quality violations (SCAQMD's first indicator);
- **Criterion 2:** Assumptions in the AQMP (SCAQMD's second indicator); and
- **Criterion 3:** Compliance with applicable emission control measures in the AQMPs.

#### ***Criterion 1: Proposed Project's Contribution to Air Quality Violations***

According to the SCAQMD, the project is consistent with the AQMP if the project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.<sup>13,14</sup>

If a project's emissions do not exceed the SCAQMD regional thresholds for volatile organic compound (VOC), NO<sub>x</sub>, CO, sulfur oxide (SO<sub>x</sub>), PM<sub>10</sub>, or PM<sub>2.5</sub>, it follows that the project's emissions would not exceed the allowable limit for each project in order for the region to attain and maintain ambient air quality standards, which is the primary goal of air quality plans. As shown in Impact AIR-2, the proposed project would not exceed the SCAQMD's regional thresholds of significance during construction after incorporation of Mitigation Measures (MM) AQ-2A and AQ-2B. MM AQ-2A requires the use of coatings with a VOC standard equal to or less than 10 grams per liter for on-site architectural coating activities during construction of the project, and MM AQ-2B requires the use of Tier IV off-road construction equipment over 50 horsepower (hp) for the duration of construction activity. These measures would reduce the potential impact related the maximum daily generation of VOC and NO<sub>x</sub> during construction of the proposed project to a less than significant level. The proposed project would exceed the SCAQMD's regional thresholds of significance during operation of the project. The City of Desert Hot Springs General Plan EIR did not identify mitigation measures to reduce air quality impacts from operations of the development contemplated under the General Plan. Although Conditions of Approval (COA) GHG-1a would

<sup>12</sup> South Coast Air Quality Management District (SCAQMD) 2021. Website: <http://www.aqmd.gov/home/air-quality/clean-air-plans>. Accessed September 21, 2021.

<sup>13</sup> South Coast Air Quality Management District (SCAQMD). 1993. CEQA Air Quality Handbook. Available at SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

<sup>14</sup> South Coast Air Quality Management District (SCAQMD). 2021. Air Quality Analysis Handbook. Website: <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>. Accessed November 22, 2021.

reduce on-site emissions from interior vehicles, such as forklifts and yard vehicles, these COAs would not reduce the primary source of air pollutant emissions, mobile vehicles.

Implementation of COA AIR-2a would require super compliant architectural coating during operation of the proposed project, which would reduce operational VOC emissions. COA AIR-2b would require the project applicant to post signage on the site near loading areas that would advise truck drivers of ARB diesel idling regulations to limit truck idling to no more than 5 minutes, which would reduce NO<sub>x</sub> emissions. COA AIR-2c would require the project applicant to include on-site services such as a truck driver lounge area and vending machines to reduce truck idling, , or provide evidence to the City that visiting truck drivers would not be permitted to remain in their trucks when not driving to a particular on-site destination. This COA would further reduce NO<sub>x</sub> emissions from idling vehicles. Finally, COA AIR-2d would require the project applicant to include on-site services and facilities such as an employee lounge or lockers that would reduce lunchtime errand vehicle trips, which would reduce mobile vehicle emissions.

### ***Criterion 2: Assumptions in AQMP***

The development of emission burdens used in AQMPs to demonstrate compliance with ambient air quality standards is based, in part, on land use patterns contained within local general plans. Therefore, it is reasonable to conclude that if a project is consistent with the applicable general plan land use designation, and the general plan was adopted prior to the applicable AQMP, then the growth of Vehicle Miles Traveled (VMT) and/or population generated by said project would be consistent with growth in VMT and population assumed within the AQMP. However, the applicable General Plan for the proposed project is the City of Desert Hot Springs General Plan, which was updated and adopted in 2020, which is after the adoption of the SCAQMD's 2016 AQMP. Consequently, the GPU could have included new land uses not anticipated in the 2016 AQMP and as a result, contribute VMT, population, and/or unanticipated sources of air pollutants not analyzed in the 2016 AQMP. For the purposes of this analysis, land patterns contained within local general plans was not compared to the 2016 AQMP.

The SCAQMD CEQA Air Quality Handbook indicates that consistency with AQMP growth assumptions must be analyzed for new amended General Plan elements, Specific Plans, and significant projects.<sup>15</sup> Significant projects include airports, electrical generating facilities, petroleum and gas refineries, designation of oil drilling districts, water ports, solid waste disposal sites, and offshore drilling facilities. The proposed project would include construction and development of an industrial warehouse building and would not engage in any activities that would constitute a significant project as defined by the SCAQMD CEQA Air Quality Handbook.

Furthermore, due to the industrial nature of the proposed project, there would be no significant impacts associated with growth inducement from implementation because the

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<sup>15</sup> South Coast Air Quality Management District (SCAQMD). 1993. CEQA Handbook. Available at SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

proposed project would not include direct population growth or remove a barrier to growth. It follows that the proposed project would not result in growth and associated emissions unforeseen in any local or regional plans. Therefore, the proposed project would not be significant regarding the second criterion.

### **Criterion 3: Control Measures**

The AQMP contains several control measures which are enforceable requirements through the adoption of rules and regulations. SCAQMD rules and regulations relevant to the proposed project are described in Section 2.4.2. The proposed project would comply with all applicable SCAQMD rules and regulations. Because of the nature of the proposed project, which includes earthmoving activity, SCAQMD Rule 403 applies. As previously mentioned, Rule 403 governs emissions of fugitive dust during construction and operation activities. The rule requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Compliance with this rule is achieved through application of standard BMPs. These BMPs include application of water or chemical stabilizers to disturbed soils; covering haul vehicles; restricting vehicle speeds on unpaved roads to 15 miles per hour (mph); sweeping loose dirt from paved site access roadways; cessation of construction activity when winds exceed 25 mph; and establishing a permanent ground cover on finished sites. The proposed project's compliance with all applicable SCAQMD rules and regulations would result in consistency with the applicable AQMP control measures. Additionally, the proposed project would be required to comply with all minimum requirements to reduce man-made fugitive dust as described in Chapter 15.84 of the City's Municipal Code.

### **Summary**

In summary, the proposed project would not exceed the growth assumptions in the AQMP. The proposed project would not result in a regional exceedance of criteria air pollutants after the incorporation of MM AQ-2A and MM AQ-2B during project construction. Furthermore, the proposed project would comply with all applicable SCAQMD rules and regulations. However, operational emissions would exceed SCAQMD's thresholds of significance for VOC and NO<sub>x</sub>. Accordingly, the proposed project could conflict with or obstruct implementation of the applicable air quality plans. Therefore, this impact would be significant and unavoidable.

- b) The 2020 EIR determined the worst-case maximum daily construction emissions associated with project implementation could have the potential for ROG and NO<sub>x</sub> emissions (ozone precursors) to exceed SCAQMD regional thresholds. The 2020 EIR concluded that to reduce potential ROG and NO<sub>x</sub> emissions generated during construction, Mitigation Measures AQ-2A and AQ-2B would be required. These measures would ensure that coating application activities would be reduced to levels below SCAQMD thresholds, by requiring development projects to implement SCAQMD Rule 1113 "super-compliant" coatings with a lower VOC content than the CalEEMod default assumption, as well as the application of coatings with efficient spray equipment, and requiring the use of electric or other alternatively-powered non-diesel

equipment where feasible, and the use of diesel engines that meet Tier IV final emission standards. Therefore, implementation of mitigation would reduce construction impacts to a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment to a less than significant level. However, the 2020 EIR concluded that operational impacts would result in emissions of ROG, NOX, CO, PM10, and PM2.5 that exceed SCAQMD thresholds and impacts would remain significant and unavoidable even with implementation of mitigation.

This impact is related to the cumulative effect of a project's regional criteria pollutant emissions. As described above, the region is currently nonattainment for ozone, PM10, and PM2.5. By its nature, air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region. The nonattainment status of regional pollutants is a result of past and present development within the air basin, and this regional impact is a cumulative impact. In other words, new development projects (such as the proposed project) within the air basin would contribute to this impact only on a cumulative basis. No single project would be sufficient in size, by itself, to result in nonattainment of regional air quality standards. Instead, a project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. All new development that would result in an increase in air pollutant emissions above those assumed in regional air quality plans would contribute to cumulative air quality impacts.

Rather, the determination of cumulative air quality impacts for construction and operational emissions is based on whether the proposed project would result in regional emissions that exceed the SCAQMD regional thresholds of significance for construction and operations on a project level. Projects that generate emissions below the SCAQMD significance thresholds would be considered consistent with regional air quality planning efforts would not generate cumulatively considerable emissions.

The proposed project's regional construction and operational emissions, which include both on- and off-site emissions, are evaluated separately below. Construction and operational emissions from the project were estimated using California Emissions Estimator Model (CalEEMod) Version 2020.4.0. A detailed description of the assumptions used to estimate emissions and the complete CalEEMod output files are contained in the project-specific Air Quality and Greenhouse Gas (GHG) Emissions Analysis Report, included in Appendix B of this Addendum.

### ***Cumulative Construction Emissions***

Construction emissions are described as "short-term" or temporary in duration; however, they have the potential to represent a significant impact with respect to air quality. Construction of the project would result in the temporary generation of VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from construction activities such as site preparation, grading, building construction, architectural coating, and asphalt paving. Fugitive dust emissions are primarily associated with earth disturbance and grading activities, and vary as a function of soil silt content, soil moisture, wind speed, acreage of disturbance area, and miles traveled by construction vehicles on-site and off-site. Construction-related NO<sub>x</sub> emissions are primarily generated by exhaust emissions from heavy-duty construction equipment, material and haul trucks, and construction

worker vehicles. VOC emissions are mainly generated by exhaust emissions from construction vehicles, off-gas emissions associated with architectural coatings, and asphalt paving.

As described in the Project Description, project construction would be completed in one phase, beginning in June 2022, and concluding in September 2023. The proposed project is expected to be operational in the fourth quarter of 2023. The anticipated construction schedule reflects the construction start date and the construction phase durations estimated by the project applicant. The construction schedule used in the analysis represents a reasonable worst-case analysis scenario since a delay in construction dates into the future would result in using emission factors for construction equipment that decrease as the analysis year increases, due to improvements in technology and the need to meet more stringent regulatory requirements. Therefore, construction emissions would decrease if the construction schedule moved to later years. The duration of construction activity and associated equipment represent a reasonable approximation of the expected construction fleet as required by CEQA Guidelines. For a more detailed description of the construction emissions modeling parameters and assumptions, please refer to Section 4-Modeling Parameters and Assumptions.

Table 1 presents the proposed project’s maximum daily construction emissions during the entire construction duration using the worst-case summer or winter daily construction-related criteria pollutant emissions for each phase of construction. Complete CalEEMod output files are included as part of Appendix B.

**Table 1: Unmitigated Construction–Maximum Daily Emissions by Construction Year**

Construction Year	Regional Pollutant Emissions (pounds per day)					
	VOCs	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Summer</b>						
On-Site Construction 2022	34.49	269.37	311.09	0.87	62.35	26.03
Off-site Improvements 2022	3.70	38.89	0.06	0.06	5.45	2.99
On-Site Construction 2023	324.31	105.35	203.27	0.65	50.20	15.52
Off-site Improvements 2023	1.10	10.23	15.13	0.02	0.68	0.51
<b>Winter</b>						
On-Site Construction 2022	33.62	272.41	288.77	0.85	62.35	26.03
Off-site Improvements 2022	3.70	38.90	29.69	0.06	5.45	2.99
On-Site Construction 2023	323.40	107.89	179.32	0.62	50.20	15.53
Off-site Improvements 2023	1.08	10.23	15.03	0.17	0.68	0.51
<b>Maximum Daily Emissions<sup>1</sup></b>	<b>324.31</b>	<b>272.41</b>	<b>311.09</b>	<b>0.87</b>	<b>62.35</b>	<b>26.03</b>
Year	2023	2022	2022	2022	2022	2022
Season	Winter	Winter	Summer	Summer	Winter	Both
<b>SCAQMD Significance Threshold</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Construction Year	Regional Pollutant Emissions (pounds per day)					
	VOCs	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<p>Notes:</p> <p>CO = carbon monoxide</p> <p>NO<sub>x</sub> = oxides of nitrogen</p> <p>PM<sub>10</sub> = particulate matter less than 10 microns in diameter</p> <p>PM<sub>2.5</sub> = particulate matter less than 2.5 microns in diameter</p> <p>SCAQMD = South Coast Air Quality Management District</p> <p>SO<sub>x</sub> = sulfur oxide</p> <p>VOC = volatile organic compound</p> <p><sup>1</sup> Assumes overlap of construction activities based on schedule presented in Appendix B.</p> <p>The PM<sub>10</sub> and PM<sub>2.5</sub> emissions reflect the combined exhaust and mitigated fugitive dust emissions in accordance with SCAQMD Rule 403.</p> <p>Source of Table: Appendix B.</p>						

As shown in Table 1, the proposed project's construction emissions would exceed the applicable significance threshold for VOC and NO<sub>x</sub>. Therefore, the proposed project would have a potentially significant impact related to air quality during project construction prior to the incorporation of mitigation. MM AQ-2A, which requires the proposed project to use architectural coatings with a VOC standard equal to or less than 10 grams per liter for on-site architectural coating activities, would be required prior to issuance of building permits to ensure impacts related to VOC emissions would be less than significant. Additionally, MM AQ-2B would require the project applicant to use Tier IV off-road construction equipment with an hp rating over 50hp to reduce impacts related to NO<sub>x</sub> to a less than significant level.

Table 2 presents the proposed project's maximum daily construction emissions after the incorporation of MM AQ-2A and AQ-2B.

**Table 2: Construction with Mitigation Measures Incorporated–Maximum Daily Emissions by Construction Year**

Construction Activity	Regional Pollutant Emissions (pounds per day)					
	VOCs	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Summer</b>						
On-Site Construction 2022	19.07	82.40	331.81	0.87	53.81	18.17
Off-site Improvements 2022	0.84	3.35	33.80	0.06	3.91	1.59
On-Site Construction 2023	50.86	55.89	208.54	0.65	48.10	13.53
Off-site Improvements 2023	0.34	1.25	17.84	0.2	0.21	0.08
<b>Winter</b>						
On-Site Construction 2022	18.20	85.44	309.49	0.85	53.82	18.17
Off-site Improvements 2022	0.84	3.35	33.64	0.06	3.92	1.59
On-Site Construction 2023	49.95	58.48	184.59	0.62	48.06	13.53
Off-site Improvements 2023	0.33	1.25	17.74	0.02	0.21	0.08

Construction Activity	Regional Pollutant Emissions (pounds per day)					
	VOCs	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Maximum Daily Emissions<sup>1</sup></b>	<b>50.86</b>	<b>85.44</b>	<b>331.81</b>	<b>0.87</b>	<b>53.82</b>	<b>18.17</b>
Year	2023	2022	2022	2022	2022	2022
Season	Winter	Winter	Summer	Summer	Winter	Both
<b>SCAQMD Significance Threshold</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes: CO = carbon monoxide NO <sub>x</sub> = oxides of nitrogen PM <sub>10</sub> = particulate matter less than 10 microns in diameter PM <sub>2.5</sub> = particulate matter less than 2.5 microns in diameter SCAQMD = South Coast Air Quality Management District SO <sub>x</sub> = sulfur oxide VOC = volatile organic compound <sup>1</sup> Assumes overlap of construction activities based on schedule presented in Appendix B. The PM <sub>10</sub> and PM <sub>2.5</sub> emissions reflect the combined exhaust and mitigated fugitive dust emissions in accordance with SCAQMD Rule 403. Source of Table: Appendix B.						

As shown in Table 2, the proposed project's regional daily construction emissions would not exceed any of the SCAQMD thresholds of significance after the incorporation of MM AQ-2A and AQ-2B. Furthermore, all construction activities would comply with applicable SCAQMD rules and regulations, including Rule 403, to minimize fugitive PM dust emissions. Therefore, the proposed project would not result in a cumulatively considerable net increase of construction emissions after incorporation of MM AQ-2A and AQ-2B. The cumulative impact from construction of the project would be less than significant.

#### *Cumulative Operational Emissions*

Following project construction, long-term operational emissions would be generated, resulting from daily operations. Operational emissions for land use development projects are typically distinguished as mobile-, area-, and energy source emissions. Mobile source emissions are those associated with automobiles that would travel to and from the project site. Assumptions used to estimate mobile source emissions that would be generated by the proposed project were consistent with those presented in the project-specific traffic study. The proposed project was estimated to generate 3,744 average daily passenger vehicle trips and 670 average daily truck trips during the operational period. Area source emissions are those associated with natural gas combustion for space and water heating, landscape maintenance activities, and periodic architectural coatings. Energy source emissions are those associated with electricity consumption and are more pertinent for GHG emissions than air quality pollutants. Table 3 presents the proposed project's maximum daily operational emissions.



**Table 3: Operational Regional Pollutants**

Operational Activity	Regional Pollutant Emissions (pounds per day) <sup>1</sup>					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	80.36	0.00	0.55	0.00	0.00	0.00
Energy	0.21	1.92	1.61	0.01	0.15	0.15
Mobile—Passenger Vehicles	5.58	7.32	68.86	0.22	27.40	7.45
Mobile—Trucks	3.24	165.17	26.99	0.75	25.40	8.31
<b>Total Operational Emissions</b>	<b>89.39</b>	<b>174.41</b>	<b>98.01</b>	<b>0.98</b>	<b>52.95</b>	<b>15.91</b>
<b>SCAQMD Significance Threshold</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes: CO = carbon monoxide NO <sub>x</sub> = oxides of nitrogen PM <sub>10</sub> = particulate matter less than 10 microns in diameter PM <sub>2.5</sub> = particulate matter less than 2.5 microns in diameter SCAQMD = South Coast Air Quality Management District SO <sub>x</sub> = sulfur oxide VOC = volatile organic compound <sup>1</sup> Emissions shown represent the maximum daily emissions from summer and winter seasons for each operational emission source and pollutant. Therefore, total daily operational emissions represent maximum daily emissions that could occur throughout the year. Source of Table: Appendix B.						

As shown in Table 3, the proposed project's regional daily operational emissions would exceed the SCAQMD thresholds of significance for VOCs and NO<sub>x</sub>. Considering that the proposed project's long-term operational emissions would exceed significance thresholds for VOCs and NO<sub>x</sub>, the project could result in a cumulatively considerable net increase of operational emissions.

As shown in Table 3, the majority of operational VOC emissions in the unmitigated buildout scenario would be generated from area sources. These sources include consumer products, occasional repainting of buildings and regular landscaping activities; refer to Appendix B for details.

Some options to reduce operational emissions of VOC may include:

- Utilize only low VOC cleaning supplies in perpetuity;
- Utilize only low VOC paint supplies in perpetuity; and
- Utilize only electric landscaping equipment in perpetuity.

As noted above, the options available to reduce the majority of VOC emissions caused by area sources during operations would require the use of restricted supplies and equipment by future project occupants or on-site users in perpetuity. Future occupants (including third-party contractors and individual employees) would have access to consumer products available on

the marketplace. Regulation of consumer products available on the marketplace is not within the control of any individual project applicant or lead agency. Therefore, requiring the use of only low VOC cleaning supplies in perpetuity is neither feasible nor enforceable.

As shown in Table 3, the majority of NO<sub>x</sub> emissions are estimated to be from truck trips and represents a reasonable worst-case scenario. No mitigation was included in the General Plan EIR to reduce impacts from operational NO<sub>x</sub> or VOCs and as a result, the proposed project's long-term operational VOC and NO<sub>x</sub> emissions may continue to exceed SCAQMD's thresholds of significance.

Implementation of COA AIR-2a would reduce operational VOC emissions by ensuring that the project applicant utilizes low VOC architectural coating during any repainting for exterior and interior surfaces. COA AIR-2b would require the project applicant to post signage on the site near loading areas that would advise truck drivers to limit idling to no more than 5 minutes, which would reduce NO<sub>x</sub> emissions during operations. COA AIR-2c would require the project applicant to include on-site services such as a truck driver lounge area and vending machines to reduce the need for truck idling, or provide evidence to the City that visiting truck drivers would not be permitted to remain in their trucks when not driving to a particular on-site destination and thereby reduce NO<sub>x</sub> emissions from idling vehicles. Finally, COA AIR-2d would require the project applicant to include on-site amenities such as lockers and lounges, which would provide employees an alternative to off-site restaurants or food services and reduce mobile vehicle emissions.

Although the project applicant would implement feasible COAs and applicable mitigation, emissions from project operations would still exceed applicable thresholds and be considered a significant and unavoidable impact. This finding is consistent with the findings presented in the General Plan EIR. Specifically, the General Plan EIR considered the project site in its analysis of the planning area and determined a significant and unavoidable impact would occur related to operational regional pollutants, such as VOCs and NO<sub>x</sub>. As a result, the proposed project would not result in a new impact or a cumulative impact from long-term operation of the project greater than what was anticipated in the General Plan EIR. Therefore, impacts would remain significant and unavoidable.

- c) The 2020 EIR determined that the maximum daily on-site emissions generated during project construction would not exceed the SCAQMD's recommended localized significance thresholds (LSTs). In addition, construction diesel particulate matter (DPM) emissions would occur intermittently throughout the Planning Area; and these emissions would not result in significant adverse health risks due to the temporary and dispersed nature of these emissions. Furthermore, the 2020 EIR determined that project operations would not exacerbate pollutant concentrations or health risks associated with emissions sources and, therefore, impacts would be less than significant.

This impact evaluates the potential for the proposed project's construction and operational emissions to expose sensitive receptors to substantial pollutant concentration. Sensitive receptors are defined as those individuals who are sensitive to air pollution including children,

the elderly, and persons with preexisting respiratory or cardiovascular illness. For purposes of CEQA, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours, such as residences, hospitals, or convalescent facilities.<sup>16</sup> Commercial and industrial facilities are not included in the definition because employees do not typically remain on-site for 24 hours. However, when assessing the impact of pollutants with 1-hour or 8-hour standards (such as nitrogen dioxide [NO<sub>2</sub>] and CO), commercial and/or industrial facilities would be considered sensitive receptors. For the proposed project, the closest off-site sensitive receptor is a single-family residence located approximately 3,223 feet northwest of the project site.

To result in a less than significant impact, the following criteria must be true:

**Criterion 1:** LST assessment: emissions and air quality impacts during project construction or operation must be below the applicable LSTs to screen out of needing to provide a more detailed air quality analysis. If the proposed project exceeds any applicable LST when the mass rate lookup tables are used as a screening analysis, then project-specific air quality modeling may be performed to determine significance.

**Criterion 2:** A CO hotspot assessment must demonstrate that the proposed project would not result in the development of a CO hotspot that would result in an exceedance of the CO ambient air quality standards.

***Criterion 1: Localized Significance Threshold Analysis—Criteria Pollutants***

The localized construction and operational analyses use thresholds (i.e., LSTs) that represent maximum emissions for a project that would not cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standard.<sup>17</sup> If the proposed project's construction or operational emissions are under those thresholds, it follows that the project would not cause or contribute to an exceedance of the standard and would not expose sensitive receptors to substantial pollutant concentrations.

***Friant Ranch Case and Project Health Impacts***

In the 5<sup>th</sup> District Court of Appeal case *Sierra Club v. County of Fresno (Friant Ranch, L.P.)* (also referred to as “Friant Ranch,” the Court found the project EIR deficient because it did not identify specific health-related effects resulting from the estimated amount of pollutants generated by the project. The ruling stated that the EIR should give a “sense of the nature and magnitude of the ‘health and safety problems’ caused by a project’s air pollution. The EIR should translate the emission numbers into adverse impacts or to understand why such translation is not possible at this time (and what limited translation is, in fact, possible).”

<sup>16</sup> South Coast Air Quality Management District (SCAQMD). 2008. Final Localized Significance Threshold Methodology. Revised July 2008. Website: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>. Accessed April 24, 2021.

<sup>17</sup> South Coast Air Quality Management District (SCAQMD). 2009. Final Localized Significance Threshold Methodology, Appendix C. Revised October 21, 2009. Website: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>. Accessed February 19, 2021.

The California Supreme Court held that when an EIR concluded that when a project would have significant impacts to air quality impacts, an EIR should “make a reasonable effort to substantively connect a project’s air quality impacts to likely health consequences.” In order to determine compliance with this Case, the Court developed a multi-part test that includes the following:

- The air quality discussion shall describe the specific health risks created from each criteria pollutant, including DPM.

This air quality analysis details the specific health risks created from each criteria pollutant. As such, this analysis meets the Part 1 of the Friant Ranch case test.

- The analysis shall identify the magnitude of the health risks created from the project. On page 24 of the Ruling, it is stated that “[t]he Court of Appeal identified several ways in which the EIR could have framed the analysis so as to adequately inform the public and decision makers of possible adverse health effects.”

The Friant Ranch Case found that an EIR's air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. As noted in the Brief of *Amicus Curiae* by the SCAQMD in the Friant Ranch case (Brief),<sup>18</sup> The SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes. The SCAQMD discusses that it may be infeasible to quantify health risks caused by projects similar to the proposed project, due to various factors. The Brief states that it may not be feasible to perform a health risk assessment for airborne toxics that will be emitted by a generic industrial building that was built on "speculation" (i.e., without knowing the future tenant(s)). Even where a health risk assessment can be prepared, however, the resulting maximum health risk value is only a calculation of risk; it does not necessarily mean anyone will contract cancer as a result of the project. Similarly, SCAQMD staff does not currently know of a way to accurately quantify ozone-related health impacts caused by NO<sub>x</sub> or VOC emissions from relatively small projects, due to photochemistry and regional model limitations. The Brief concludes, with respect to the Friant Ranch EIR, that although it may have been technically possible to plug the data into a methodology, the results would not have been reliable or meaningful.

On the other hand, for extremely large regional projects (unlike the proposed project), the SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources –as part of their rulemaking activity, specifically 6,620 pounds per day of NO<sub>x</sub> and 89,180 pounds per day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to ozone. As shown above in Table 1, project-related construction activities would generate a maximum of 324.31 pounds per day of VOC

<sup>18</sup> South Coast Air Quality Management District (SCAQMD). 2015. Application of the South Coast Air Quality Management District for Leave to File Brief of *Amicus Curiae* in Support of Neither Party and [Proposed] Brief of *Amicus Curiae*. Website: <https://www.courts.ca.gov/documents/9-s219783-ac-south-coast-air-quality-mgt-dist-041315.pdf>. Accessed April 2, 2021.

and 272.41 pounds per day of NO<sub>x</sub>; and, as shown above in Table 3, operation of the proposed project is estimated to generate 89.39 pounds per day of VOC and 174.41 pounds per day NO<sub>x</sub>. The proposed project would not generate emissions anywhere near levels that would reach 6,620 pounds per day of NO<sub>x</sub> or 89,190 pounds per day of VOC emissions. Therefore, the proposed project's emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level.

Notwithstanding, this analysis does evaluate the proposed project's localized impact to air quality for emissions of NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> by comparing the proposed project's onsite emissions to the SCAQMD's applicable LST thresholds. As evaluated in this analysis provided below, the proposed project would not result in emissions that exceeded the SCAQMD's LSTs during either the construction or operational period. Therefore, the proposed project would not be expected to exceed the most stringent applicable federal or State ambient air quality standards for emissions of NO<sub>x</sub>, CO, PM<sub>10</sub>, or PM<sub>2.5</sub>.

#### Localized Construction Analysis

The LST Methodology only applies to on-site emissions and states that "off-site mobile emissions from the project should not be included in the emissions compared to LSTs." Therefore, for purposes of the construction LST analysis, only on-site emissions were compared with the applicable LSTs.

Table 4 presents the proposed project's maximum daily on-site emissions compared with the applicable LSTs. The LSTs have been obtained from the LST Methodology for 5-acre project sites located in Source Receptor Area 30 where sensitive receptors are 500 meters away. As described previously, the closest sensitive receptor is 3,223 feet away from the closest project boundary, which is 982 meters. As noted in Table 4, emission estimates account for implementation of SCAQMD Rule 403.

**Table 4: Construction Localized Significance Screening Analysis**

Activity	On-site Emissions (pounds per day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>2022</b>				
Site Preparation	33.08	19.70	9.30	5.40
Grading	155.40	116.17	16.87	11.28
Building Construction (2022)	54.90	56.12	2.79	2.63
Paving	11.12	14.58	0.56	0.52
Overlap <sup>1</sup> (2022 Building Construction and Grading)	210.3	172.12	19.66	13.91
<b>2023</b>				
Building Construction (2023)	50.63	55.68	2.42	2.29
Paving (2023)	10.19	14.58	0.51	0.47

Activity	On-site Emissions (pounds per day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Architectural Coating	1.3	1.81	0.07	0.07
Overlap <sup>1</sup> (2023 Building Construction and Paving)	61	70	3	3
<b>Total Construction Duration (2022-2023)</b>				
<b>Maximum Daily On-site Construction Emissions<sup>1</sup></b>	<b>210.30</b>	<b>172.12</b>	<b>19.66</b>	<b>13.91</b>
<b>Localized Significance Thresholds (5-acre site)</b>	<b>875</b>	<b>31,115</b>	<b>248</b>	<b>128</b>
<b>Exceeds Either Screening Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes: CO = carbon monoxide NO <sub>x</sub> = oxides of nitrogen PM <sub>10</sub> = particulate matter less than 10 microns in diameter PM <sub>2.5</sub> = particulate matter less than 2.5 microns in diameter SCAQMD = South Coast Air Quality Management District <sup>1</sup> Assumes overlap of construction activities with highest emissions based on schedule presented in Appendix B. The PM <sub>10</sub> and PM <sub>2.5</sub> emissions reflect the combined exhaust and controlled fugitive dust emissions in accordance with SCAQMD Rule 403. Source of emissions: Appendix B. Source of thresholds: SCAQMD Mass Rate Lookup Tables for 5-acre site in Source Receptor Area 30 for sensitive receptors located 500 meters from the project site.				

As shown in Table 4, the proposed project's maximum daily on-site emissions would not exceed the applicable SCAQMD LSTs for NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>; therefore, localized construction impacts related to these air pollutants would be less than significant. The proposed project would be required to comply with MM AQ-2A and MM AQ-2B, which would further ensure that the project generated emissions of PM<sub>10</sub> and PM<sub>2.5</sub> would be controlled during the construction period. Accordingly, with adherence to mitigation measures, the proposed project's on-site construction-related criteria air pollutant and ozone precursor concentrations would not expose sensitive receptors to substantial pollutant concentrations. This impact would be less than significant.

#### Localized Operational Analysis

Like the construction LST analysis above, the applicable operational LSTs were obtained for a project located in Source Receptor Area 30 with the nearest sensitive receptor being 500 meters away. Long-term operations would occur for the proposed project on the 94-acre project site. Because LSTs are provided for 1-acre, 2-acre, and 5-acre sites, LSTs were obtained for a 5-acre site.

As described above, the LST Methodology recommends that only on-site emissions are evaluated using LSTs. Because most of the proposed project's mobile source emissions would occur on the local and regional roadway network away from the project site, truck trip

emissions, on-site area-, energy-, and mobile source emissions were included in this analysis. A trip length of 0.5 mile was used in the modeling input assumptions to account for on-site emissions from mobile sources. The 0.5-mile on-site trip length is a conservative estimate that takes into account the maximum project site distance a vehicle could travel, not the most likely or fastest route, to ensure all potential impacts are considered. Table 5 presents the project’s maximum daily on-site emissions compared with the appropriate LSTs.

**Table 5: Operational Localized Screening Significance Analysis**

Emissions Source	Pounds per Day			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	<0.01	0.55	<0.01	<0.01
Energy	1.92	1.61	0.15	0.15
Mobile—Passenger Vehicles	1.64	17.86	1.1	0.32
Mobile—Trucks	15.7	12.8	0.31	0.1
<b>Maximum Daily On-site Operational Emissions</b>	<b>20</b>	<b>33</b>	<b>2</b>	<b>1</b>
<b>Localized Significance Thresholds (5-acre site)</b>	<b>875</b>	<b>31,115</b>	<b>60</b>	<b>31</b>
<b>Exceeds Any Screening Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes: CO = carbon monoxide NO <sub>x</sub> = oxides of nitrogen PM <sub>10</sub> = particulate matter less than 10 microns in diameter PM <sub>2.5</sub> = particulate matter less than 2.5 microns in diameter Source of Emissions: Appendix B. Source of thresholds: SCAQMD Mass Rate Lookup Tables for a 5-acre site in Source Receptor Area 30 for sensitive receptors located 500 meters from the project site.				

As shown in Table 5, the proposed project’s maximum daily on-site operational emissions would not exceed any applicable SCAQMD LSTs. Therefore, the proposed project’s operational activities would not cause or contribute substantially to an existing or future ambient air quality standard violation. Accordingly, the proposed project’s operational criteria air pollutant and ozone precursor concentrations would not expose sensitive receptors to substantial pollutant concentrations. The impact would be less than significant.

### **Criterion 2: Carbon Monoxide Hotspot Analysis**

As identified in the Traffic Analysis, the proposed project would generate up to 701 passenger car equivalent (PCE) trips in the AM peak-hour and 1,012 PCE trips in the PM peak-hour.<sup>19</sup> The Traffic Analysis determined that the proposed project would generate up to 5,043 average daily PCE trips. As described in the Traffic Analysis, project generated passenger car and truck trips would be distributed throughout the day and would not impact local roadways at one time,

<sup>19</sup> Kimley-Horn. February 2022. Traffic Analysis for Project Viento.

further reducing the potential impacts to CO. As a result, none of the intersections near the project site would have peak-hour traffic volumes exceeding those at the intersections modeled in the 2003 AQMP. Additionally, the adjacent roadways are not located in an area where vertical or horizontal atmospheric mixing is substantially limited, such as a tunnel or overpass. Furthermore, there are no factors unique to the local meteorology to conclude that this intersection would yield higher CO concentrations if modeled in detail. Therefore, the operational CO impact would be less than significant.

As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

- d) The 2020 EIR determined that General Plan buildout could introduce new sources of odors and new sensitive receptors. However, the 2020 EIR concluded that construction odors would not be significant due to the temporary nature and operational odor impacts from restaurant, commercial, cannabis cultivation, and other land uses that could generate odors are prohibited from emitting obnoxious odors or fumes pursuant to Municipal Code Section 17.40.190 and 5.50.150 and would not result in adverse effects on residential receptors. Therefore, the 2020 EIR determined impacts would be less than significant.

Odor impacts on residential areas and other sensitive receptors, such as hospitals, daycare centers, schools, etc. warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas.

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor.

Odors can cause a variety of responses. The impact of an odor is dependent on interacting factors such as frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception. While offensive odors rarely cause any physical harm, they still can be very unpleasant, leading to considerable distress and often generating citizen complaints to local governments and regulatory agencies.

The SCAQMD does not provide a suggested screening distance for a variety of odor-generating land uses and operations. However, the San Joaquin Valley Air Pollution Control District (Valley Air District) does have a screening distance for odor sources. Those distances are used as a guide to assess whether nearby facilities could be sources of significant odors. Projects that would site a new sensitive receptor farther than the applicable screening distances from an existing odor source would not be likely to have a significant impact. The SCAQMD considers residences, schools, daycare centers, playgrounds, and medical facilities as sensitive receptor land uses. The closest sensitive receptor located near the project site is a single-family residence at 17851 Louise Street, North Palm Springs, California. It is about 3,370 feet northwest of the project site.

These screening distances by type of odor generator are listed in Table 6.



**Table 6: Screening Levels for Potential Odor Sources**

Odor Generator	Screening Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shop)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile
Source: Source: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: <a href="https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF">https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF</a> . Accessed September 21, 2021.	

### **Construction-Related Odors**

Potential sources that may emit odors during construction activities include exhaust from diesel construction equipment. However, because of the temporary nature of these emissions, the intermittent nature of construction activities, and the highly diffusive properties of diesel PM exhaust, nearby receptors would not be affected by diesel exhaust odors associated with project construction. Odors from these sources would be localized and generally confined to the immediate area surrounding the proposed project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature.

### **Operational-Related Odors**

The proposed project includes the construction and development of a warehouse building, parking spaces, and associated landscaping. Land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations (the proposed project would include a small on-site private sewer lift station), composting facilities, feedlots, coffee roasters, asphalt batch plants, and rendering plants. The end uses of the proposed warehouse would involve e-commerce distribution. The proposed project would not produce any offensive odor emitting end uses such as coffee roasting, composting, feed lots, refining, sewage treatment, or solid waste management and would not be considered an odor generator as identified in Table 6. Additionally, since the proposed

project would not include new sensitive receptors, such as residences, the proposed project would not locate new sensitive receptors near an odor source. Therefore, the proposed project would not be a generator of objectionable odors during operations. Minor sources of odors, such as exhaust from mobile sources, are not typically associated with numerous odor complaints, but are known to have temporary and less concentrated odors. In summary, the project's long-term operational activities would not have any substantial odor sources that would expose nearby receptors. Considering the low intensity of potential odor emissions, the proposed project's operational activities would not expose receptors to objectionable odor emissions.

As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

#### MM AQ-2A “Super Compliant” Architectural Coating

The City shall require development projects to:

1. Submit evidence, such as emissions estimates, coating use estimates and manufacturers specifications for VOC content, or other evidence that indicates VOC emissions during architectural coating activities would not exceed SCAQMD CEQA significance thresholds.
2. Prepare a Coating Restriction Plan (CRP), consistent with SCAQMD guidelines. The project applicant/developer shall include in any construction contracts and/or subcontracts a requirement that project contractors adhere to the requirements of the CRP. The CRP shall include a requirement that all interior and exterior residential and non-residential architectural coatings used in project construction meet the SCAQMD “super-compliant” coating VOC content standard of less than 10 grams of VOC per liter of coating. The CRP shall also specify the use of high-volume, low-pressure spray guns during coating applications to reduce coating waste.

#### MM AQ-2B Tier IV Construction Equipment

To reduce construction equipment emissions of NO<sub>x</sub>, diesel particulate matter, and other pollutants, the City shall require development projects to:

1. Use electric-powered and liquefied or compressed natural gas equipment instead of diesel-powered equipment to the maximum extent feasible.
2. All construction equipment with a rated power-output of 50 horsepower or greater shall meet U.S. EPA and ARB Tier IV Final Emission Standards for NO<sub>x</sub>. This may be achieved via the use of equipment with engines that have been certified to meet Tier IV emission standards, or through the use of equipment that has been retrofitted with an ARB-verified emission control strategy (e.g., selective catalytic reduction) capable of reducing exhaust NO<sub>x</sub> emission to levels that meet Tier IV standards.

3. The City may grant an exemption from these requirements in the event an applicant can factually document that the specific equipment needed to construct a project is not reasonably available (e.g., the specific Tier IV equipment needed is not available within Riverside County within the scheduled construction period).

## Conditions of Approval

The following measures shall be included as conditions of approval for the proposed project to reduce operational emissions of VOC and NO<sub>x</sub>.

### **COA AIR-2a Super Compliant Architectural Coating During Operations**

The following measures shall be applied during operations of the project:

- Use super-compliant architectural coatings for all on-site architectural coating activities. These coatings are defined as those with volatile organic compound (VOC) less than 10 grams per liter. South Coast Air Quality Management District (SCAQMD) provides a list of manufacturers that provide this type of coating.
- Keep lids closed on all paint containers contained on-site when not in use to prevent VOC emissions and excessive odors.
- Use compliant low VOC cleaning solvents to clean paint application equipment.
- Keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.

**COA AIR-2b** Prior to occupancy of the project, the project applicant, project tenant, or project sponsor shall post signage in the loading area advising truck drivers of California Air Resources Board diesel idling regulations (i.e., no more than 5 minutes).

**COA AIR-2c** The project applicant, project tenant, or project sponsor shall include services and facilities on-site to reduce on-site truck idling. These may include but not be limited to:

- On-site driver lounge: The project shall provide an eating area accessible to operators of heavy-duty trucks visiting the project site with a sink, microwave, and refrigerator.
- On-site vending machines: The project shall provide on-site vending machines in an area accessible to truck drivers visiting the project site.

Alternatively, the project applicant, project tenant, or project sponsor shall provide documentation to the City demonstrating that visiting truck drivers would not be permitted to remain in their trucks when not driving to a particular on-site destination.

**COA AIR-2d** The project applicant, project tenant, or project sponsor shall include services and facilities on-site to reduce lunchtime errand trips. These may include but not be limited to:

- Lockers on-site: The project will maintain lockers for employee use.
- On-site employee lounge: The project shall provide an eating area accessible to employees with a sink, microwave, and refrigerator.
- On-site vending machines: The project will provide on-site vending machines in the employee eating area.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to air quality beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>IV. Biological Resources</b> <i>Would the project:</i>					
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 Wildlife or United States Fish and Wildlife Service?	Less than significant impact with mitigation incorporated.	No	No	No	MM BIO-1, MM BIO-2, MM BIO-3
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	Less than significant impact with mitigation incorporated.	No	No	No	MM BIO-4
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact with mitigation incorporated.	No	No	No	MM BIO-3, MM BIO-4
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 wildlife nursery sites?	Less than significant impact with mitigation incorporated.	No	No	No	MM BIO-1, MM BIO-2

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant impact.	No	No	No	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?	Less than significant impact.	No	No	No	None

## Discussion

The analysis in this section is based, in part, on the findings of the project-specific Biological Resources Assessment (BRA) and Rare Plant Report prepared by FirstCarbon Solutions (FCS) on September 24, 2021, and October 15, 2021 (Appendix C).

- a) The 2020 EIR determined that the development within the Planning Area has the potential to impact special-status plants and special-status wildlife, including species covered under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) as well as nesting birds protected under the Migratory Bird Treaty Act (MBTA) or California Fish and Game Code. Table 4.4.2 of the 2020 EIR provides a list of special-status plant and wildlife species known to occur in the Planning Area. The 2020 EIR requires projects within the Planning Area to prepare a BRA report to examine the potential direct and indirect impacts to special-status species both on-site and off-site, per MM BIO-1. The BRA prepared for the project site by FCS satisfies this mitigation measure.

The BRA determined that the development of the project site has the potential to impact several special-status plants, Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *cochellae*), Little San Bernardino Mountains linanthus (*Linanthus maculatus* ssp. *maculatus*), desert sand verbena (*Abronia villosa* var. *aurita*), slender cottonheads (*Nemacaulis denudata* var. *gracilis*) and Latimer's woodland-gilia (*Saltugilia latimeri*). MM BIO-2 from the 2020 EIR requires protocol focused surveys for sensitive plant and wildlife species shall be carried out by a qualified Biologist when suitable habitat for any such species is present on a proposed project site and has a potential for impact. Therefore, focused rare plant surveys were conducted during the blooming period for these plant species by a qualified FCS Biologist in September 2021. The Rare Plant Report did not detect any special-status plant species present on-site. (Appendix C). However, the Rare Plant Report did not entirely rule out the potential for

special-status plants to occur on-site as their seeds may be present within the soil of the project site. Therefore, out of an abundance of caution, the project applicant has agreed to implement additional conditions of approval including COA BIO-1a through COA BIO-1g which would further reduce any potential impacts to special-status wildlife to less than significant levels.

The BRA determined that the development of the project site has the potential to impact a number of special-status wildlife species. The BRA determined that the development of the proposed project has the potential to impact special-status birds including burrowing owl (*Athene cunicularia*), Costa's hummingbird (*Calypte costae*) LeConte's thrasher (*Toxostoma lecontei*) and black-tailed gnatcatcher (*Poliophtila melanura*). Of these bird species, only burrowing owl and Costa's hummingbird were determined to have a high potential to occur on the site, whereas the other species have low to moderate potential to occur. Therefore, the project applicant shall implement MM BIO-3 from the 2020 EIR which requires that focused surveys for active nests shall be conducted by a qualified Biologist no more than 3 days prior to the beginning of project-related activities such including excavation, grading and vegetation removal. Consistent with MM BIO-2 from the 2020 EIR, the project applicant shall also conduct protocol surveys for burrowing owl, owing to the high potential for this species to occur on-site due to the numerous small mammal burrows observed on-site as described in COA BIO-3a through COA BIO-3d.

The BRA also determined that the development of the project site has potential, albeit low potential, to impact several special-status reptiles including Coachella Valley fringe-toed lizard (*Uma inornata*), desert tortoise (*Gopherus agassizii*), and red-diamond rattlesnake (*Crotalus ruber*) as well as special-status mammals including pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*), San Diego desert woodrat (*Neotoma lepida intermedia*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), and Palm Springs round-tailed ground squirrel (*Xerospermophilus tereticaudus cholorus*). Each of these special-status reptiles and mammals were determined to have a low to moderate potential to occur on-site. Out of an abundance of caution, the project applicant has agreed to implement additional conditions of approval including COA BIO-3a through COA BIO-3d, which would further reduce any potential impacts to special-status wildlife to less than significant levels.

- b) The 2020 EIR found that future development within the Planning Area has the potential to impact a variety of sensitive natural communities including riparian habitat. Therefore, the 2020 EIR requires all projects that may impact riparian habitat and other sensitive plant communities to implement MM BIO-4 which includes the preparation a habitat restoration and revegetation plan pursuant to the United States Army Corps of Engineers (USACE) and/or California Department of Fish and Wildlife (CDFW) guidelines.

The vast majority of the project site (91.71 acres) consists of Creosote-Bursage scrub (*Larrea tridentata*-*Ambrosia dumosa* Shrubland Alliance<sup>20</sup>), which is dominated by creosote bush

<sup>20</sup> Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society, Sacramento. 1300 pp.

(*Larrea tridentata*s) with white bursage (*Ambrosia dumosa*) as the subdominant shrub in this vegetation community. The remaining land area consists of ruderal/disturbed habitat (2.91 acres). 5.53 acres of ruderal/disturbed habitat and 0.05 acre of urban developed land can be found within the off-site improvement areas. These vegetation communities/landcover types are not considered sensitive natural communities. Therefore, construction of the proposed project would not have a significant impact on riparian habitat or other sensitive natural communities.

- c) The 2020 EIR determined that future development within the Planning Area has the potential to impact State and federally protected wetlands. All development projects within the Planning Area that contain State or federally protected wetlands are subject to the regulation by the USACE, CDFW, and Regional Water Quality Control Board (RWQCB).

An ephemeral wash bisects the project site. This feature shows evidence of surface flows and appears visible from aerial photography and is mapped as “blue line” stream and could be potentially jurisdictional by State regulatory agencies including the RWQCB and CDFW.<sup>21,22</sup> The USACE would not likely consider the feature jurisdictional, but the project applicant shall request a determination from this federal agency or any others that may have jurisdiction. The construction of the proposed project would likely permanently impact the ephemeral wash. Therefore, the project applicant shall implement COA BIO-4 and prepare a separate jurisdictional delineation report to establish the jurisdictional limits of the on-site ephemeral wash. If this feature is indeed jurisdictional, the project applicant shall seek permission from the State regulatory agencies (RWQCB and CDFW) for the proposed impacts to the ephemeral drainage channel and implement the mitigation measures as prescribed in the permits.

- d) The 2020 EIR determined that future development within the Planning Area could result in significant impacts to large areas of open space, some of which are defined as biological corridors and linkages by the CVMSHCP and/or Natural Landscape Blocks by the California Essential Habitat Connectivity (CEHC) Project. The 2020 EIR concluded that the implementation of MM BIO-1 and MM BIO-2, as well as General Plan policies that protect wildlife habitat linkages and corridors (Goal OS-1) would reduce impacts to a less than significant level. Additional policies would maximize connectivity among conservation areas and avoid habitat fragmentation within to conserve biological diversity, ecological balance, and connected populations identified in the CVMSHCP. These policies ensure that impacts to movement of native resident or migratory fish and wildlife species would be less than significant levels.

The BRA concluded that the project site likely does not serve as a wildlife movement corridor. The majority of the project site consists of open desert scrubland and provides little cover for transient wildlife. The project site is also surrounded by roads, highways, and urban development to the west and south that limits wildlife movement to and from the project site

<sup>21</sup> United States Geological Survey (USGS). 2021. National Geospatial Program. Website: [https://www.usgs.gov/core-science-systems/national-geospatial-program/us-topo-maps-america?qt-science\\_support\\_page\\_related\\_con=4#qt-science\\_support\\_page\\_related\\_con](https://www.usgs.gov/core-science-systems/national-geospatial-program/us-topo-maps-america?qt-science_support_page_related_con=4#qt-science_support_page_related_con). Accessed July 6, 2021.

<sup>22</sup> United States Environmental Protection Agency (EPA). 2021. Watershed Assessment, Tracking and Environmental Results System (WATERS). Website: <https://www.epa.gov/waterdata/waters-watershed-assessment-tracking-environmental-results-system>. Accessed July 6, 2021.



in those directions. Additionally, the implementation of MM BIO-3 from the 2020 EIR would ensure that any potential impacts to nesting birds would be reduced to less than significant levels.

- e) The 2020 EIR analysis found there are no existing local policies designed to protect biological resources, such as a tree preservation policy or ordinance that are applicable within the Planning Area. The BRA acknowledges the lack of applicable local policies as well. Therefore, the development of the proposed project would not conflict with any local policies and programs designed to protect biological resources and no impacts would occur.
- f) The Planning Area occurs within the CVMSHCP, which provides a strategy for protecting special-status-species and sensitive natural communities within the Planning Area and much of eastern Riverside County. The 2020 EIR concluded that potentially significant impacts could occur if future development would result in harm to special-status species or sensitive natural communities identified by the CVMSHCP. However, compliance with General Plan policies, CVMSHCP guidelines, and the implementation of MM BIO-1 through MM BIO-4 would reduce impacts to CVMSHCP-covered resources to less than significant levels. The proposed project is located outside of any conservation areas designated by the MSHCP but is located within 1,000 feet of the Willow Hole Conservation Area. The proposed project would be considered a Covered Activity pursuant to Section 7.1; thus, no further avoidance, minimization, or mitigation measures would be required for compliance with the MSHCP. Pursuant to Section 5.2.1.1 of the MSHCP, a development mitigation fee would be required.

## Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

### MM BIO-1 Biological Resource Assessment

Consistent with GPU Policy OS-1.5: Biological Resources Assessment, resource assessments will be prepared for all discretionary development projects that contain undeveloped lands subject to CEQA. The biological resource assessment will catalog all habitat types with the Project area (and off-site impact areas), based on alliances and/or associations defined in The Manual of California Vegetation, Second Edition. The assessment will include an inventory of all special-status species (USFWS- and CDFW-listed threatened and endangered species, California Species of Special Concern, California Fully Protected Species, CRPR-listed species, and CVMSHCP Covered Species) with the potential to occur within each on-site habitat type. The assessment will address seasonal variation in use of the Planning Area and not be limited to resident species. It will include a discussion of both direct and indirect impacts to wildlife movement and connectivity, as well as a full accounting of all mitigation/conservation lands within and adjacent to the Project area. The Biological Resource Assessment will examine both on-site and off-site impact areas and will include a discussion of potential direct and indirect impacts from lighting, noise, human activity, defensible space, and exotic/invasive species. Defensible spaces should be accounted for within proposed development land use designated areas, and not transferred to adjacent open space or conservations lands.

**MM BIO-2 Special Status Plant and Wildlife Protection**

Consistent with GPU Policy OS-1.2 Threatened and Endangered Species, protocol focused surveys for sensitive plant and wildlife species will be carried out by a qualified biologist when suitable habitat for any such species is present on a proposed project site and has a potential for impact. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought. Project permitting and approval requires compliance USFWS, CDFW, and CVMSHCP regulations for any impacts to special-status plant or animal species.

**MM BIO-3 Nesting Bird Avoidance**

If vegetation removal is scheduled during nesting season (February 1-September 1), focused surveys for active nests shall be conducted by a qualified biologist no more than three days prior to the beginning of project-related activities (e.g., excavation, grading and vegetation removal). Surveys shall be conducted in proposed work areas, staging and storage areas, and soil, equipment, and material stockpile areas. For passerines and small raptors, surveys shall be conducted within a 250-foot radius surrounding the work area (in non-developed areas and where access is feasible). For larger raptors, such as those from the genus *Buteo*, the survey area shall encompass a 500-foot radius. Surveys shall be conducted during weather conditions suited to maximize the observation of active nests and shall concentrate on areas of suitable habitat. If nests are encountered during any pre-construction survey, a qualified biologist shall determine if it is feasible for construction to continue as planned without impacting the success of the nest, depending on conditions specific to each nest and the relative location and rate of construction activities. Any active nest(s) within a Project Site shall be monitored by a qualified biologist during construction if work occurs directly adjacent to the pre-determined nest avoidance buffer. If the qualified biologist determines construction activities have potential to adversely affect a nest, construction activities will be halted within the minimum nest avoidance buffer, depending on species and location. Construction activities within the nest avoidance buffer may proceed after a qualified biologist determines the nest is no longer active due to natural causes.

**MM BIO-4 Habitat Revegetation, Restoration, and/or Conservation**

If riparian habitat or other sensitive natural communities are impacted by project-related activities, a habitat restoration and revegetation plan will be developed pursuant to U.S. Army Corps of Engineers and/or California Department Fish and Wildlife guidelines. Habitat restoration and revegetation plans will include, at a minimum:

- a) the location of restoration sites and assessment of appropriate reference sites;

- b) the plant species to be used, sources of local propagules, container sizes, and seeding rates;
- (c) a schematic depicting the mitigation area;
- (d) a local seed and cuttings and planting schedule;
- (e) a description of the irrigation methodology;
- (f) measures to control exotic vegetation on-site;
- (g) specific success criteria;
- (h) a detailed monitoring program;
- (i) contingency measures should the success criteria not be met; and
- (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought. For Projects with CVMSHCP Conservation Areas, habitat revegetation, restoration, and conservation will be vetted via coordination with the appropriate resource agencies and the Coachella Valley Conservation Commission (CVCC) through the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) and Joint Project Review (JPR) processes to ensure the Project aligns with the goals and policies of the CVMSHCP (Section 6.6.1.1 and 6.6.1.2).

## Conditions of Approval

### General Biological Conditions of Approval

#### COA BIO-1a Designation of Project Biologists

Prior to the initiation of ground-disturbing activities during the construction phase of the proposed project, the applicant will ensure that project Biologists are designated for the proposed project. The Biologist(s) must be familiar with the biology and conservation of rare plants (desert sand verbena, Coachella Valley milk-vetch, and Little San Bernardino Mountains linanthus), burrowing owl and other nesting birds (Costa's hummingbird, Le Conte's thrasher and black-tailed gnatcatcher), special-status mammals (pallid San Diego pocket mouse, San Diego desert woodrat, Palm Springs pocket mouse, Palm Springs round-tailed ground squirrel), and special-status reptiles (Coachella Valley fringe-toed lizard, desert tortoise, and red-diamond rattlesnake) and be able to identify these species. The Biologist(s) shall perform pre-construction surveys and monitor construction activities. The Biologist(s) would be responsible for ensuring that impacts on special-status species, native vegetation, wildlife habitat, or unique resources would be avoided to the fullest extent possible. The Biologist(s) shall ensure that Environmentally Sensitive Areas (ESAs) are fenced by the construction contractor around the on-site preservation area and, where appropriate, around other biologically sensitive areas where activities need to be restricted to protect native plants and wildlife or special-status species. These restricted areas would be

monitored by the Biologist(s) during ground-disturbing construction activities to ensure their protection during construction. The Biologist(s) shall administer the Worker Environmental Awareness Program (WEAP) to construction personnel and report project minimization activities to the City and the California Department of Fish and Wildlife (CDFW). The project Biologist(s) shall ensure that project minimization measures are implemented prior to, during, and after ground-disturbing construction activities. The Biologist(s) shall have the authority to stop work if work activities threaten a sensitive biological resource.

**COA BIO-1b Pre-construction Survey**

Pre-construction biological clearance surveys will be performed to minimize impacts on special-status plants or wildlife species. During the pre-construction survey, the project Biologist(s) shall search the project site for rare plants, burrowing owl, nesting birds, or other covered or sensitive biological resources. The pre-construction survey shall be performed no more than 14 days prior to the initiation of ground-disturbing construction activities. If more than 14 days passes between the pre-construction survey and initiation of ground-disturbing construction activities, another pre-construction survey shall be performed.

**COA BIO-1c Establish Environmentally Sensitive Areas**

Environmentally Sensitive Areas (ESAs) shall be established around sensitive biological resources on the project site during the construction phase. Long-term ESAs shall be fenced with orange construction fencing that shall remain in-place until the end of construction activities. Other ESAs that are temporary in nature, such as a burrow occupied by burrowing owl or an active bird nest or other sensitive species or resource, as necessary, shall be marked with stakes and flagging. Buffer sizes for ESAs established for avoidance of special-status and nesting birds shall follow requirements provided in Section 4 (Required Avoidance, Minimization, and Mitigation Measures) of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Construction personnel shall be instructed not to enter the ESAs and the Biologist(s) shall ensure that ESA boundaries are maintained and that sensitive resources within them are not disturbed by construction activities.

**COA BIO-1d Worker Environmental Awareness Program**

A Worker Environmental Awareness Program (WEAP) shall be prepared, and all construction crews and contractors shall be required to participate in WEAP training prior to the start work on the proposed project. The WEAP training shall be submitted to the City for review and approval and shall include a review of the covered species and other sensitive resources that could exist in the project site, the locations of sensitive biological resources as well as their legal status and protections, and measures to be implemented for avoidance of these sensitive resources. A record of all personnel trained shall be maintained.

**COA BIO-1e      Monitoring of Ground-disturbing Construction Activities**

During project construction activities that result in ground disturbance, the project Biologist(s) shall monitor the activities to ensure that sensitive biological resources are protected. The Biologist(s) shall ensure that vegetation clearance activities limit disturbance to the smallest practical area and that construction personnel and activities do not enter Environmentally Sensitive Areas (ESAs). The Biologist(s) shall perform daily pre-construction sweeps of work areas prior to initiation of daily construction activities. The Biologist(s) shall inspect open trenches, pits, and pipes or other materials within which a covered species or other sensitive species may become entrapped or hide within. The Biologist(s) shall have the authority to stop work if work activities threaten a sensitive biological resource.

**COA BIO-1f      Best Management Practices**

Project personnel shall implement several Best Management Practices (BMPs) during the construction phase of the proposed project, including speed limits, disposal of trash, and use of water trucks. To prevent vehicle-wildlife strikes, speed limits of construction equipment, work vehicles, and personal vehicles on the project site will be limited to 15 miles per hour (mph). To prevent attraction of wildlife and subsidized predators to the project site, workers shall promptly place all trash and food items in covered wind and predator-proof containers within the work site to reduce the attraction of common ravens and other predators. Plastic garbage bags shall be used to line the trash containers and the bags and their contents shall be regularly removed from the project site for proper disposal at an authorized landfill. Water trucks shall be used for dust suppression. Any ponded water from dust suppression activities shall be eliminated within 1 hour of their formation to avoid attracting and subsidizing common ravens, coyotes, and other predators. To prevent trampling/crushing of vegetation, ingress and egress routes onto the project site shall be delineated and used by all project personnel during the construction phase. If a covered species is observed during the construction phase, construction personnel shall immediately notify the project Biologist(s).

**COA BIO-1g      Reporting**

The project Biologist(s) shall provide quarterly and annual reports to the City that detail the implementation of minimization measures. If individuals of a covered species are found on the project site during the construction phase, the Biologist(s) shall submit a species occurrence observation to the City.

**Special-Status Plants**

**COA BIO-2a      Agency Consultation**

If desert sand verbena or other special-status plant species not covered by the Multiple Species Habitat Conservation Plan (MSHCP) are found on-site and cannot

be avoided, the project applicant shall consult with the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), as applicable, to determine feasible impact minimization and mitigation measures, which may include habitat restoration, propagation or transplant of individuals, or off-site conservation.

**COA BIO-2b      Implement Mitigation Monitoring Program**

If desert sand verbena or other special-status plant species not covered by the Multiple Species Habitat Conservation Plan (MSHCP) are found on-site and MM BIO-1c and MM BIO-1d are implemented, the project applicant shall design and implement a monitoring program to evaluate compliance with and the effectiveness of these mitigation measures. The monitoring program shall be conducted by a qualified Botanist and shall take place periodically during project construction and annually, following the completion of construction, for 5 years. The project applicant shall bear the financial responsibility for mitigation measure monitoring and reporting for the entirety of the 5-year reporting period. If the monitoring program identifies mitigation measure noncompliance or ineffectiveness, the project applicant shall fund and implement remedial measures including, but not limited to, on-site habitat restoration, the installation and maintenance of additional fencing, and other appropriate measures. The project applicant shall ensure that sufficient funding exists to complete all reasonably foreseeable remedial actions prior to the commencement of project construction. Annual monitoring reports shall be submitted to the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), as applicable.

**Burrowing Owl**

**COA BIO-3a      Burrowing Owl Breeding/Nonbreeding Season Surveys**

Breeding season and nonbreeding season surveys shall be implemented by a qualified Biologist. Four breeding season survey visits shall be conducted: (1) at least one site visit between February 15 and April 15, and (2) a minimum of three survey visits, at least 3 weeks apart, between April 15 and July 15, with at least one visit after June 15. Nonbreeding season surveys shall be conducted over a series of four visits spaced throughout the nonbreeding season (September 1 through February 14). Each of the survey efforts shall be conducted according to the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation protocol. The results of the breeding season and nonbreeding season surveys shall be reported to the CDFW. If both the breeding season and nonbreeding surveys are negative for burrowing owl, the project applicant shall implement MM BIO-6c.

**COA BIO-3b      Agency Consultation**

If the breeding season or nonbreeding surveys determine that burrowing owl occupies the project site, the project applicant shall consult with the California

Department of Fish and Wildlife (CDFW) to determine appropriate mitigation for the loss of burrowing owl habitat due to project implementation. The outcome of the consultation shall determine the need for on-site or off-site mitigation for burrowing owl, including habitat area mitigation ratios. The outcome of the consultation shall be included in a Burrowing Owl Mitigation Plan that shall be prepared by a qualified Biologist retained by the project applicant (.

**COA BIO-3c Burrowing Owl Pre-construction Survey**

The project applicant shall retain a qualified Biologist to perform a pre-construction burrowing owl survey in order to determine whether burrowing owl are present within 30 days prior to construction activities, according to the California Department of Fish and Wildlife (CDFW) guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. The pre-construction survey shall be completed on the project site and areas within 500 feet from the project boundary (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo. At least 15 days prior to the expected start of any project-related ground disturbance activities, or restart of activities, the City of Desert Hot Springs shall provide a burrowing owl survey report and mapping to the CDFW. If no burrowing owl are detected during the pre-construction survey, no further action is necessary.

**COA BIO-3d Mitigation and Avoidance**

If any of the surveys (breeding season, nonbreeding season, or pre-construction) are positive for burrowing owl, the project proponent shall retain a qualified Biologist to develop and implement a Burrowing Owl Mitigation Plan. The Burrowing Owl Mitigation Plan shall contain the following elements (as outlined in the California Department of Fish and Wildlife [CDFW] 2012 Staff Report on Burrowing Owl Mitigation protocol) at a minimum:

- Avoidance of burrowing owl during construction, including establishment of a 160-foot radius around occupied burrows during the nonbreeding season (September 1 through February 14) or a 300-foot radius around occupied burrows during the breeding season (February 15 through August 31), within which construction activities may not occur until a qualified Biologist has determined that (1) nonbreeding season owl have dispersed from the area; or (2) breeding season owl have fledged their juveniles from the occupied burrows and the juveniles are foraging independently and are capable of independent survival or have dispersed from the area.
- A plan for implementing a passive relocation program for nonbreeding owls, should it be needed. The passive relocation techniques should be consistent with CDFW guidelines, including installation of artificial burrows at an off-site location and use of one-way exclusion doors to ensure owls have left the burrow(s).

## Jurisdictional Waters and Wetlands

### COA BIO-4      Determination of the Extent of Impacts to the Potentially Jurisdictional Wash

1. Prepare a separate jurisdictional delineation report to establish the jurisdictional limits of the on-site drainage channel.
2. The project applicant shall request a determination from the United States Army Corp of Engineers (USACE) or other federal agency, as needed, as to whether the feature is jurisdictional.
3. Seek permission from the State regulatory agencies (Regional Water Quality Control Board [RWQCB] and California Department of Fish and Wildlife [CDFW]) for the proposed impacts to the ephemeral drainage channel and implement the mitigation measures as prescribed in the permits.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to biological resources beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.



Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>V. Cultural and Tribal Cultural Resources</b> <i>Would the project:</i>					
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?	Less than significant impact.	No	No	No	None
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact.	No	No	No	None
c) Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact.	No	No	No	None
<i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>					
d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	Less than significant impact.	No	No	No	None
e) 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less than significant impact.	No	No	No	None

## Discussion

### Cultural Resources

The findings of this section of the Addendum are based on the findings of the project-specific Phase I Cultural Resources Assessment (Phase I CRA) prepared by FCS on October 6, 2021 (Appendix D).

- a) The 2020 EIR determined that the Planning Area contains historical resources identified by the City's Historical Society. These resources are the Cabot Yerxa's Old Indian Pueblo Museum, the B-Bar Guest House, and the Yerxa's Discovery Location (hot water well). The hot water well location was discovered by Yerxa in 1913 and has been designated as a California Historic Point of Interest (Plaque No. 560). In 1937 the B-Bar Guest House was built, and the Eastern Information Center (EIC) has determined the house to be eligible for listing in the California Register of Historical Resources (CRHR). The Cabot Old Indian Pueblo Museum was constructed in 1941 and is listed on the National Register of Historic Places (NRHP) (Listing No. 11000942), which in turn the museum is automatically eligible for listing on the CRHR. Additionally, as of the 2011 results of archival research conducted at the EIC, there are at least 155 historic buildings/structures located within the Planning Area that are potentially eligible as historical resources. The 2020 EIR determined that any development consistent with the GPU would not result in any substantial adverse change to the significance of historical resources as they are currently protected under existing and proposed policies (Policy OS-8.1 Historic Preservation and Policy OS-8.2 Local Historical Groups) and State regulations.

CEQA Guidelines Section 15064.5 defines historical resources as built environment resources that are listed in the CRHR or determined to be eligible by the California Historical Resources Commission based on four criteria. The Phase I CRA determined that the project site does not contain historical resources and no mitigation measures are required. Impacts to historical resources would be no impact.

- b) The 2020 EIR has noted that ground disturbance activities within the GPU could result in the damage or destruction of archaeological resources. There are known archaeological resources associated with the previous occupation of the Planning Area that have the potential to contribute to the cultural and scientific information pertaining to the prehistory and history of the City. The Planning Area has not been formally surveyed for archaeological resources, which could result in the destruction/loss of resources during the development of project activities. Excavation in areas on the surface and subsurface have the potential to damage or destroy prehistoric and/or historic archaeological resources, which could result in potentially significant impacts. The 2020 EIR states that existing regulations require applicants to prepare a Phase I Cultural Resources Technical Report that adheres to the guidelines of the California Office of Historic Preservation: Archaeological Resources Management Report Guidelines. This report will assess, avoid, and mitigate any potential impacts to archaeological resources. The 2020 EIR indicated that GPU Policies OS-8.5, Archaeological Resources, and OS-8.6, Cultural Resources, ensure that there is no substantial change in the significance of archaeological resources.

Pursuant to Policy OS-8.5 Archaeological Resources, FCS prepared a Phase I CRA for the proposed project site on October 6, 2021. The Phase I CRA determined that the project site has

low to moderate potential to impact archaeological resources. The results of the EIC records search results indicated that 20 cultural resources (one prehistoric resource and 19 historic era resources) have been recorded within 0.5 mile of the project site. There are no prehistoric resources recorded within the project site; however, there are 11 recorded historic era isolates within the project site that do not meet any of the four criterion standards for historic resources and are ineligible for listing on the CRHR. The pedestrian survey did confirm the presence of these historic era isolates, which consisted of cans and refuse over 50 years in age; however, these historic resources were interspersed with modern refuse that was displayed throughout the project site as a result of wind and seasonal flooding. The refuse scatter also did not contain any depositional integrity, and no data potential was identified. The findings of the Phase I CRA determined that damage and/or destruction to recorded and unrecorded archaeological resources within the project site would have a potentially significant impact. Implementation of COA CUL-1 would ensure that this potential impact is reduced to a less than significant level.

- c) The 2020 EIR determined that the discovery of human remains, and human burial remains adhere to specific treatment procedures outlined in Section 5097 of the California Public Resources Code, as well as the California Health and Safety Code, Sections 7050.5, 7051, and 7054. Public Resources Code Section 5097.98 also addresses the disposition of Native American burials, and the protection of these remains. The 2020 EIR also determined that the Planning Area has not been formally surveyed or investigated for cultural resources. Excavation within the Planning Area would potentially impact these remains, which includes Native American burial sites. Damage or destruction of unknown human remains within the Planning Area would result in a potentially significant impact. Implementation of Section 5097 of the California Public Resources Code and GPU Policies OS-8.5 and OS-8.6 reduce the impacts to a less than significant level.

The findings of the Phase I CRA determined the potential for the disturbance of human remains to be considered low. While it is highly unlikely that the presence of human remains exists within or near the project site, there is always the possibility that subsurface construction activities associated with the development of the proposed project, such as grading or trenching, could potentially damage or destroy previously undiscovered human remains. Implementation of CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 would reduce potential impacts to human remains to a less than significant level.

### **Tribal Cultural Resources**

- d) The 2020 EIR determined that known archaeological materials associated with the previous occupation of the City have the potential to contribute to cultural and scientific information. The Planning Area has not been formally surveyed for Tribal Cultural Resources (TCRs) or archaeological resources associated with TCRs which could result in the destruction/loss of resources during the development of project activities. Excavation associated with proposed development projects within the GPU areas on the surface and subsurface have the potential to damage or destroy TCRs or archaeological resources associated with TCRs, which could

result in potentially significant impacts. The 2020 EIR indicated that GPU Policies OS-8.5 Archaeological Resources and OS-8.6 Cultural Resources ensure that there is no substantial change in the significance of TCRs.

The findings of the Phase I CRA determined that the California Register of Historical Resources, local registers of historic resources, a records search conducted at the EIC, a Native American Heritage Commission (NAHC) Sacred Lands File search failed to identify any listed TCRs that may be adversely affected by the development of the project site. The NAHC tribal representative outreach resulted in three responses. The Quechan Tribe of the Fort Yuma Reservation and the San Manuel Band of Mission Indians indicated that the project site is not within their traditional land use area and have no comments pertaining to the development process or review of documents addressing the project site. However, the Agua Caliente Band of Cahuilla Indians stated that project site is located within the tribe's traditional land use area and made the following requests:

- A cultural resources inventory of the project area by a qualified Archaeologist prior to any development activities in this area.
- A copy of the records search with associated survey reports and site records from the information center.
- Copies of any cultural resource documentation (report and site records) generated in connection with this project.
- The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbance activities (including archaeological testing and surveys). 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.

As such, no eligible or potentially eligible TCRs will adversely be affected by the proposed project. Should any undiscovered TCRs be encountered during ground disturbance activities within the project site, implementation of COA CUL-1 would reduce potential impacts to a less than significant level.

- e) The 2020 EIR also indicated that projects would comply with existing laws and regulations pertaining to Assembly Bill (AB) 52 and Senate Bill (SB) 18. The Lead Agency (City of Desert Hot Springs) sent tribal consultation letters to seven tribes. As a result, four consultation requests were received from the Twenty-nine Palms Band of Mission Indians, the Soboba Band of Luiseño Indians, the San Manuel Band of Mission Indians, and the Agua Caliente Band of Cahuilla Indians. Tribal consultation concluded with the Soboba Band of Luiseño Indians and the San Manuel Band of Mission Indians. However, during the release of the 2020 EIR on February 14, 2020, consultation efforts with the Agua Caliente Band of Cahuilla Indians and the Twenty-nine Palms Band of Mission Indians were ongoing. There are two TCRs that have been

identified within the Planning Area, however, pursuant to Public Resources Code Section 15130 (b)(1) no proposed projects within the Planning Area would have impacts to the identified TCRs.

The Phase I CRA contains the findings of outreach to the NAHC and associated tribal representatives. A request was sent to the NAHC to obtain results from a Sacred Lands File search regarding TCRs within the project site. The results of the search were negative for TCRs; however, the NAHC provided a list of tribal representatives to contact for additional information. The NAHC tribal representative outreach resulted in three tribe responses from the Quechan Tribe of the Fort Yuma Reservation, the San Manuel Band of Mission Indians, and the Agua Caliente Band of Cahuilla Indians. No additional information was received from the tribes regarding TCRs.

## Conditions of Approval

- COA CUL-1** An Archaeologist who meets the Secretary Standards of the Interior's Professional Qualification Standards for archaeology, should be present to monitor the site during the initial clearing, grubbing, and prior to grading and trenching of the project site to check for inadvertent exposure of cultural materials. In the event exposed soils indicate cultural materials may be present, this may be followed by regular or periodic archaeological monitoring as determined by the Archaeologist. Full-time archaeological monitoring is not recommended at this time. If significant cultural resources are discovered during construction activities, operations shall stop within a 100-foot radius of the find and a qualified Archaeologist shall determine whether the resource requires further study. The lead agency shall require the inclusion of a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The qualified Archaeologist shall make recommendations to the lead agency concerning appropriate measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines, Section 15064.5. Any previously undiscovered resources found during construction within the project site should be recorded on appropriate DPR forms and evaluated for significance in terms of CEQA Guidelines.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to cultural resources beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>VI. Energy</b> <i>Would the project:</i>					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant impact.	No	No	No	None
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	Less than significant impact.	No	No	No	None

## Discussion

A discussion of the proposed project's anticipated energy usage is presented below. Energy use consumed by the proposed project was estimated and includes natural gas, electricity, and fuel consumption for project construction and operation. Energy calculations are included as part of Appendix B.

- a) The 2020 EIR determined that buildout of the proposed project would increase electricity, natural gas, and fuel consumption due to construction activity and operation of new land uses. However, new land uses would be required to comply with Statewide mandatory energy requirements outlined in Title 24, Part 6, of the California Code of Regulations (the California Green Building Standards Code [CALGreen]), which would decrease estimated electricity and natural gas consumption in new and/or retrofitted structures. Additionally, the 2020 EIR determined that vehicle fuel use would decrease due to land use decisions made by the City, implementation of MM GHG-1d, and because of fuel efficiency standards enacted at the State level. Therefore, the 2020 EIR concluded that impacts would be less than significant.

### Construction Impacts

The project construction schedule was assumed to begin in June 2022 and conclude in September 2023. If the construction schedule moves to later years, construction emissions and energy consumption would likely decrease because of improvements in technology and more stringent regulatory requirements as older, less efficient equipment is replaced by newer and cleaner equipment. The proposed project would require demolition, site preparation, grading, building construction, architectural coating, and paving. The construction phase would require energy for the manufacture and transportation of building materials, preparation of the site

(e.g., demolition, site clearing, and grading), and the actual construction of the building. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks.

The types of on-site equipment used during construction of the proposed project could include gasoline- and diesel-powered construction and transportation equipment, including trucks, bulldozers, frontend loaders, forklifts, and cranes. Construction equipment is estimated to consume a total of 188,792 gallons of diesel fuel over the entire construction duration (Appendix B).

Fuel use associated with construction vehicle trips generated by the proposed project was also estimated; trips include construction worker trips, haul truck trips for material transport, and vendor trips for construction material deliveries. Fuel use from these vehicles traveling to the project site was based on (1) the projected number of trips the proposed project would generate during construction, (2) average trip distances by trip type, and (3) fuel efficiencies estimated in the ARB Emission Factors (EMFAC) mobile source emission model. The specific parameters used to estimate fuel usage are included in Appendix B. In total, the proposed project is estimated to generate 15,919,011 VMT and a combined 681,965 gallons of combined gasoline and diesel for vehicle travel during construction.

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Chapter 9.4.03 of the Desert Hot Springs Municipal Code defines permissible hours of construction as between the hours of 7:00 a.m. and 5:00 p.m. Monday through Saturday.<sup>23</sup> As on-site construction activities would be restricted to these hours, it is anticipated that the use of construction lighting would be minimal. Singlewide mobile office trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 8,791 kWh during the 14-month construction phase (Appendix B).

The overall construction schedule and process is already designed to be efficient in order to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, the opportunities for future efficiency gains during construction are limited. Therefore, it is anticipated that the construction phase of the proposed project would not result in wasteful, inefficient, and unnecessary consumption of energy. Construction-related energy impacts would be less than significant.

### ***Operational Impacts***

The proposed project would consume energy as part of building operations and transportation activities. Project energy consumption is summarized in Table 7.

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<sup>23</sup> City of Desert Hot Springs. 2021. Desert Hot Springs Municipal Code, chapter 9.4. Website: <http://www.qcode.us/codes/deserthotsprings/>. Accessed October 12, 2021.

**Table 7: Estimated Annual Project Energy Consumption**

Energy Consumption Activity	Annual Consumption
Electricity Consumption	8,799,625 kWh/year
Natural Gas Consumption	7,147,590 kBTU/year
<i>Operational Fuel Consumption–Passenger Vehicles</i>	<i>458,502 gallons of gasoline and diesel</i>
<i>Operational Fuel Consumption–Trucks</i>	<i>1,364,936 gallons of primarily diesel</i>
Total Fuel Consumption (Passenger Vehicles and Trucks Combined)	1,823,439 gallons of gasoline and diesel
Notes: kBTU = kilo-British Thermal Unit kWh = kilowatt-hour VMT = Vehicle Miles Traveled Source: Appendix B.	

Operation of the proposed project would consume an estimated 8,799,625 kilowatt-hour (kWh) of electricity and an estimated 7,147,590 kilo-British Thermal Unit (kBTU) of natural gas on an annual basis. The proposed project’s building would be designed and constructed in accordance with the City’s latest adopted energy efficiency standards, which are based on the State’s Building Energy Efficiency Standards. These are widely regarded as the most advanced building energy efficiency standards and compliance would ensure that building energy consumption would not be wasteful, inefficient, or unnecessary.

Project-related vehicle trips would consume an estimated 1,823,439 gallons of gasoline and diesel annually and would involve activities and travel routes typical of a warehouse-type project. Thus, transportation fuel consumption would not be wasteful, inefficient, or unnecessary. Therefore, impacts would be less than significant.

- b) The 2020 EIR determined that implementation of the General Plan would not conflict with nor obstruct a State or local plan adopted for the purposes of increasing renewable energy or energy efficiency due to implementation of Title 24 building code standards and the City’s Multimodal Mobility Plan, which would reduce VMT. Therefore, the 2020 EIR concluded that impacts would be less than significant.

The proposed project would be served with electricity provided by SCE. In 2019, SCE obtained 35.1 percent of its electricity from renewable energy sources.<sup>24</sup> SCE also offers a Green Rate 50 percent option that sources 66 percent of its power mix from eligible renewable energy sources, and a Green Rate 100 percent option that sources 100 percent of its power mix from eligible renewable energy sources.<sup>25</sup> The utility would be required to meet the future objective of 60 percent of electricity from renewable energy sources by 2030. Consistent with the 2020

<sup>24</sup> California Energy Commission (CEC). 2020. 2019 Power Content Label: Southern California Edison. October. Website: [https://www.sce.com/sites/default/files/inline-files/SCE\\_2019PowerContentLabel.pdf](https://www.sce.com/sites/default/files/inline-files/SCE_2019PowerContentLabel.pdf). Accessed April 27, 2021.

<sup>25</sup> California Energy Commission (CEC). 2018. 2017 Power Content Label—Southern California Edison. July. Website: <https://www.energy.ca.gov/filebrowser/download/647>. Accessed July 13, 2021.



EIR’s analysis, the proposed warehouse building would be designed in accordance with Title 24, California’s Energy Efficiency Standards for Non-residential Buildings. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., heating, ventilation, and air conditioning [HVAC] and water heating systems), and indoor and outdoor lighting. The incorporation of the Title 24 standards into the design of the proposed project would ensure that the proposed project would not result in the use of energy in a wasteful manner.

Several mitigation measures included in the proposed project would also reduce energy use and fuel consumption. For example, MM AQ-2B would reduce construction fuel use by requiring fuel efficient Tier IV construction off-road equipment over 50hp. Additionally, Implementation of COA AIR-2b through COA AIR-2d would reduce operational energy consumption by reducing vehicle fuel consumption by limiting or prohibiting vehicle idling times and reducing lunchtime vehicle trips, which would further reduce operational fuel consumption.

The proposed project would comply with existing State energy standards and with energy conservation policies contained in the General Plan. As such, the proposed project would not conflict with State or local renewable or energy efficiency objectives. Impacts would be less than significant.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to energy beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>VII. Geology, Seismicity, and Soils</b> <i>Would the project:</i>					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less than significant impact.	No	No	No	None
ii) Strong seismic ground shaking?	Less than significant impact.	No	No	No	None
iii) Seismic-related ground failure, including liquefaction?	Less than significant impact.	No	No	No	None
iv) Landslides?	Less than significant impact.	No	No	No	None
b) Result in substantial soil erosion or the loss of topsoil?	Less than significant impact.	No	No	No	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?	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less than significant impact.	No	No	No	None
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Less than significant impact.	No	No	No	None
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than significant impact with mitigation incorporated.	No	No	No	MM GEO-1a

The analysis in this section is based, in part, on the Geotechnical Evaluation prepared by Ninyo & Moore on September 22, 2021 (Appendix E).

## Discussion

### a) i) Fault Rupture

Based on the 2020 EIR, there are several known faults and Alquist-Priolo Fault Zones within the City. The 2020 EIR disclosed that these faults are located within existing developed area that include residential, commercial, and other types of urban land uses. The 2020 EIR set forth several policies related to seismic hazards. One of these policies includes Policy SN-6.1: Alquist-Priolo Act, which would “Implement the Alquist-Priolo Act and Public Resources Code Section 2621 to prohibit new structures within earthquake fault zones.” This policy would substantially reduce the potential for structural damage due to fault rupture. Additionally, the GPU includes Policy SN-6.4: Fault Zones, which states “Accept the Riverside County designated fault zone for the Blind Canyon Fault (unless subsequent data indicate otherwise), and apply standard measures as would be required of any California Division of Mines and Geology designated fault zone.” Implementation of Policies SN-6.1 and SN-6.4 would ensure this impact would be less than significant.

Consistent with the information in the 2020 EIR and in compliance with General Plan Policy SN-6.3, Geotechnical Evaluation confirmed that the project site is not located within a State of California Earthquake Fault Zone. Based on review of the referenced literature and site

reconnaissance, no active faults are known to cross the project site and the site is located outside of the mapped Earthquake Fault Zone for the San Andreas Fault. Therefore, the probability of damage from surface fault rupture is considered to be low and impacts are less than significant.

ii) **Strong seismic ground shaking**

Based on the 2020 EIR, the Planning Area is within a seismically active region and future development would experience seismic shaking. Development within the City must adhere to the California Building Standards Code (CBC), which includes requirements to design structures in accordance with the appropriate ground shaking design parameters set forth in the code. The 2020 EIR includes policies and programs designed to minimize and reduce impacts associated with strong ground shaking. The 2020 EIR concludes that impacts due to strong ground shaking will be less than significant with adherence to the CBC and consistency with the policies of the General Plan.

According to the Geotechnical Evaluation, considering the proximity of the proposed project site to active faults capable of producing a maximum moment magnitude of 6.0 or more, the project area has a high potential for experiencing strong ground motion consistent with the discussion and analysis in the 2020 EIR. However, adherence to the CBC and implementation of COA GEO-1 would reduce impacts to less than significant.

iii) **Seismic-related ground failure, including liquefaction**

Development within the City could have the potential to be located within areas of liquefaction. However, if analysis of a specific site determines liquefaction conditions may be present, appropriate measures identified in the CBC, including specific provisions for seismic design of structures, would be required. With implementation of existing policies and standards, and adherence to policies included in the GPU, impacts associated with liquefaction or other ground failure would be less than significant.

As mentioned above, there is potential for the site to experience seismic hazards due to the proximity of the site to active faults. However, implementation of COA GEO-1, in conformance with the requirements of General Plan Policy SN-6.3, would reduce impacts through the implementation of safety measures and adequate site preparation and construction processes. The Geotechnical Evaluation confirmed that based on the County of Riverside liquefaction 2006 and 2011 hazard maps, the project site is located in an area mapped as having sediments with a moderate susceptibility to seismically induced liquefaction in an area with deep groundwater. Consequently, although the site soils may be the type of soils that would be susceptible to liquefaction, the deep groundwater at the site makes it so that liquefaction and liquefaction-related seismic hazards are not design considerations for the project. Therefore, impacts are less than significant with mitigation.

iv) **Landslides**

The 2020 EIR determined landslide hazards along the perimeter of the City on properties abutting surrounding hills and mountains. The implementation of Policy SN-6.3 requires geotechnical studies for development proposals located in areas susceptible to landslides. Additionally, implementation of the CBC and City requirements and policies would ensure that appropriate design measures are incorporated where necessary. Implementation of these existing regulations and policies would reduce potential landslide impacts to a less than significant level.

As indicated in the General Plan EIR, landslide hazards are found along the perimeter of the City on properties that abut the surrounding hills and mountains. The project site is located in a flat area and not located near any hills or mountains. This precludes the possibility of landslides at the project site. Therefore, impacts relating to landslides are less than significant.

- b) According to the 2020 EIR, wind-driven erosion can occur where there are flat, barren surfaces in areas that experience high winds. Short-term erosion effects during the construction phase associated with the future development would be prevented through required implementation of a Storm Water Pollution Prevention Plan (SWPPP) and through compliance with the National Pollutant Discharge Elimination System (NPDES) program and the incorporation of Best Management Practices (BMPs) intended to reduce soil erosion. Soil erosion impacts would be less than significant with implementation of existing regulations.

According to the GP EIR, Desert Hot Springs, like the majority of the areas in the Coachella Valley, is subject to strong winds from the west due to the funneling effect of the San Geronio Pass and from the east during Santa Ana Wind events. This can result in numerous impacts due to wind-driven soil erosion including abrasion and damage to buildings and motor vehicles, filling of drainageways and yards, and limitation of visibility. The project site is located in an area of moderate risk of soil erosion as indicated in Appendix E. The project would be consistent with implementation of a SWPPP, compliance with the NPDES program, and incorporation of BMPs intended to reduce soil erosion. Therefore, impacts resulting in substantial soil erosion are less than significant.

- c) Based on the 2020 EIR, the City found soils in some areas are subject to land subsidence due to subsurface movement of earth materials and collapse if oversaturated. These forms of ground failure could potentially result in significant impacts to future development. The 2020 EIR set forth policies to reduce the impacts to future development related to ground failure. Site specific geotechnical engineering and soils reports for future development would identify specific measures to address potential unstable soils. Implementation of the policies within the 2020 EIR, as well as adherence to the CBC requirements, would reduce this potential impact.

According to the Geotechnical Evaluation, the probability of damage from surface fault rupture is considered to be low. However, lurching or cracking of the ground surface as a result of nearby seismic events is possible. In addition, based on the County of Riverside liquefaction 2006 and 2011 hazard maps, the project site is located in an area mapped as having sediments

with a moderate susceptibility to seismically induced liquefaction in an area with deep groundwater. Although the site soils may be the type of soils that would be susceptible to liquefaction, the deep groundwater at the site makes it so that liquefaction and liquefaction-related seismic hazards are not design considerations for the proposed project. Therefore, impacts are less than significant.

- d) According to the 2020 EIR, structural damage of buildings or utilities may occur if the potentially expansive and corrosive soils are not considered in the design and construction of development. GPU Policy SN-6.3 requires a geotechnical study for development in areas susceptible to ground failure. Compliance with existing regulations and policies, including CBC requirements, would limit hazards related to expansive soil to less than significant.

As mentioned previously, the proposed project is not susceptible to liquefaction. Based on the subsurface exploration of the Geotechnical Evaluation, the alluvium at the site generally consists of very loose to very dense granular materials. Remedial grading recommendations provided in subsequent sections of the report include removing loose and soft soils to competent alluvial soils within the proposed warehouse building footprint. Furthermore, the proposed project would comply with the requirements of COA GEO-1, which includes requirements for earthwork during construction to reduce risks associated with expansive soils. Therefore, impacts are less than significant.

- e) The 2020 EIR encourages removal of existing septic tanks and transition to sewer services. Where development cannot connect to a wastewater system, projects may need to use a septic system. In the instances where septic systems are proposed, all provisions of the CBC, California Plumbing Code, and City requirements would be applicable. These provisions include on-site testing to confirm soil conditions are adequate for the operation of a septic system. Compliance of all applicable existing codes and ordinance would ensure that this potential impact would be less than significant.

The proposed project would include the construction of an on-site septic system in the southeastern corner of the project site. Project site soils include Carsitas gravelly sand, 0 to 9 percent slopes, and Carsitas fine sand, 0 to 5 percent slopes. Furthermore, as mentioned above, the proposed project would be required to remove any loose and soft soils during construction. Therefore, the project site does not contain any soils incapable of adequately supporting the use of septic tanks. As such, impacts would be less than significant.

- f) Based on the 2020 EIR, the City has found that ground-disturbing activities in fossil-bearing soils and rock formations have the potential to damage or destroy paleontological resources that may be present below the ground surface. Compliance of all applicable policies in addition to the implementation of MM GEO-1 would reduce this potential impact to a less than significant.

A Paleontological Records Search was conducted for the proposed project (Appendix E). The paleontological records search on the University of California Museum of Paleontology (UCMP) database focused on the Cabazon Funglomerate and Imperial Formation. No significant

paleontological resources from either unit are in the UCMP collection. Although highly unlikely, should any paleontological resources be unearthed during project construction, MM GEO-1a would be implemented to reduce project impacts to less than significant. Therefore, the proposed project would not introduce environmental impacts related to paleontological resources. No additional analysis is required.

## Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

**MM GEO-1** In the event that paleontological resources or unique geological features are discovered during construction-related activities, a qualified Paleontological Monitor shall observe all ground-disturbing activities at all depths. The Paleontological Monitor will recover any significant fossil materials that would potentially be impacted by ground-disturbing activities. To avoid construction delays, the Paleontological Monitor should be equipped to salvage fossils immediately as they are unearthed and to remove samples of sediments that are likely to contain the remains of small fossil vertebrates, in accordance with standards for such recovery established by the Society of Vertebrate Paleontology (SVP). Recovered specimens should be prepared to a point of identification, including washing of sediments to recover smaller fossil remains. Once excavation has reached specified depths, salvage of fossil material from the sidewalls of the cut may resume. Specimens shall be identified and curated into a museum repository with retrievable storage.

## Conditions of Approval

### **COA GEO-1 Implement Geotechnical Recommendations**

The project applicant shall implement all recommendations of the Geotechnical Investigation related to earthwork, site specific seismic design considerations, foundations, exterior flatwork, underground utilities, pavement, soil corrosivity, concrete, drainage, and construction observation during project grading and construction.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to geology and soils beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>VIII. Greenhouse Gas Emissions</b> <i>Would the project:</i>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant and unavoidable impact.	No	No	No	MM GHG-1a through MM GHG-1e
b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Significant and unavoidable impact.	No	No	No	MM GHG-1a through MM GHG-1e

## Discussion

- a) The 2020 EIR determined that implementation of the General Plan would result in construction activities that would generate GHG emissions primarily from fuel combustion in equipment during demolition, site preparation, grading, building construction, paving, and architectural coating activities and in worker, vendor, and haul trips to and from future development projects. The 2020 EIR determined that construction activity would result in 6,739 metric tons (MT) carbon dioxide equivalent (CO<sub>2</sub>e) per year. The 2020 EIR concluded that operations would accommodate up to an additional 34,564 dwelling units, 6,574 new students, 297 new hotel rooms, and approximately 17,069,838 additional square feet of non-residential land uses. The 2020 EIR determined that operations would result in an additional 354,606 MT CO<sub>2</sub>e per year compared to existing conditions. The 2020 EIR concluded that even with implementation of mitigation measures GHG-1a through -1e, impacts would remain significant and unavoidable.

Similar to the 2020 EIR, the proposed project would generate GHG emissions during construction and operation.

### Construction

The proposed project would generate GHG emissions during construction activities, resulting from emission sources such as construction equipment, haul trucks, and construction worker vehicles. Although these emissions would be temporary and short-term in nature, they could represent a substantial contribution of GHG emissions. Construction emissions were modeled using CalEEMod Version 2020.4.0. Table 8, below, shows the annual construction GHG emissions.



**Table 8: Proposed Project Construction GHG Emissions**

Construction Activity	Total GHG Emissions (MT CO <sub>2</sub> e per year)
Site Preparation	106
Grading	561
Building Construction	7,785
Paving	140
Architectural Coating	270
<b>Total Construction Emissions</b>	<b>8,863</b>
<b>Emissions Amortized Over 30 Years<sup>1</sup></b>	<b>296</b>
Notes: MT CO <sub>2</sub> e = metric tons of carbon dioxide equivalent Totals may not appear to sum exactly due to rounding. <sup>1</sup> Construction GHG emissions are amortized over the 30-year lifetime of the project. Source: Appendix B.	

As shown above, the proposed project would generate approximately 8,863 MT CO<sub>2</sub>e during construction.

### **Operation**

Operational or long-term emissions occur over the life of the project. Project operations were modeled for the 2023 operational year, immediately following the completion of construction. Sources for operational emissions are summarized below and are described in more detail in Section 4-Modeling Parameters and Assumptions. Sources for operational GHG emissions include:

- **Motor Vehicles:** These emissions refer to GHG emissions contained in the exhaust from the cars and trucks that would travel to and from the project site.
- **Natural Gas:** These emissions refer to the GHG emissions that occur when natural gas is burned on the project site. Natural gas uses could include heating water, space heating, dryers, stoves, or other uses.
- **Indirect Electricity:** These emissions refer to those generated by off-site power plants to supply electricity required for the project.
- **Area Sources:** These emissions refer to those produced during activities such as landscape maintenance.
- **Water Transport:** These emissions refer to those generated by the electricity required to transport and treat the water to be used on the project site.
- **Waste:** These emissions refer to the GHG emissions produced by decomposing waste generated by the project.

Table 9 presents the estimated annual GHG emissions from the proposed project’s operational activities. As shown in Table 9, the proposed project would generate approximately 24,386 MT CO<sub>2</sub>e per year after the inclusion of 296 MT CO<sub>2</sub>e per year from project construction.

**Table 9: Operational Greenhouse Gas Emissions (No Condition of Approval or Mitigation)**

GHG Emissions Source	GHG Emissions (MT CO <sub>2</sub> e per year)
Area	<1
Energy	1,952
Mobile—Passenger Vehicles	3,843
Mobile—Trucks	13,768
Waste	1,683
Water	3,120
Amortized Construction Emissions	296
<b>Total Annual Project Emissions</b>	<b>24,386</b>
<b>SCAQMD Threshold</b>	<b>3,000</b>
<b>Exceed SCAQMD Threshold?</b>	<b>Yes</b>
Notes: MT CO <sub>2</sub> e = metric tons carbon dioxide equivalent SCAQMD = South Coast Air Quality Management District Source: Appendix B.	

As shown in Table 9, the proposed project’s operational GHG emissions would exceed the SCAQMD threshold and result in a potentially significant impact. However, COA GHG -1a would reduce GHG emissions by ensuring that the project applicant utilizes zero-emission or all-electric on-site vehicles, such as forklifts and other interior yard vehicles. COA GHG-1b would ensure that the project applicant purchases carbon offset credits that reduce annual GHG emissions to the SCAQMD threshold of 3,000 MT CO<sub>2</sub>e per year. Table 10 illustrates the operational GHG emissions with COAs implemented.

**Table 10: Operational Greenhouse Gas Emissions (With Condition of Approval)**

GHG Emissions Source	GHG Emissions (MT CO <sub>2</sub> e per year)
Area	<1
Energy	392
Mobile—Passenger Vehicles	3,843
Mobile—Trucks	13,768
Waste	1,683
Water	3,120
Amortized Construction Emissions	296

GHG Emissions Source	GHG Emissions (MT CO <sub>2</sub> e per year)
<b>Total Annual Project Emissions</b>	<b>23,102</b>
<b>GHG Emissions Offset through Carbon Credits</b>	<b>(20,102)</b>
<b>Total Net Annual Project Emissions after Incorporation of COA GHG-b</b>	<b>3,000</b>
SCAQMD Threshold	3,000
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>
Notes: MT CO <sub>2</sub> e = metric tons carbon dioxide equivalent Source: Appendix B.	

The General Plan EIR includes MM GHG-1A through MM GHG-1E, which would aim to reduce GHG emissions. For example, MM GHG-1A would require the City to adopt an ordinance that requires new development comply with the 2019 CALGreen Code. However, many of these measures are not enforceable on individual development projects, such as the proposed project. Additionally, the mitigation measures require the City to adopt Municipal Code Ordinances, which the proposed project would not have the authority to do. However, General Plan EIR MM GHG-1E requires the City to prepare a Climate Action Plan (CAP) that would include a provision to that confirm project applicants and/or their designees fully mitigate the GHG emissions associated with the construction, operation, and vegetation change associated with the proposed project. MM GHG-1E goes on to specify that compliance options could include: (1) directly undertaking funding activities that reduce or sequester GHG emissions and/or (2) obtaining and retiring carbon offsets through an Approved Registry. COA GHG-1b would be consistent with MM GHG-1E by ensuring that the project applicant would acquire and retire carbon offset credits through an Approved Registry in an amount sufficient for the proposed project to not exceed the applicable GHG threshold of significance. Therefore, the proposed project would not generate significant GHG emissions and would result in less than significant impacts

- b) The 2020 EIR concluded that the GPU would (1) not be consistent with the ARB Scoping Plan’s interpolated per capita GHG efficiency metric, (2) would not meet the SCAG 2016 RTP/SCS goal of reducing per capita passenger vehicle GHG emissions, based on the emissions modeling conducted, and (3) would be inconsistent with the City’s CAP. Despite implementation of MM GHG-1a through MM GHG-1e the 2020 EIR would result in significant and unavoidable impacts.

This impact is addressed by assessing the proposed project’s consistency with the ARB’s adopted 2017 Scoping Plan Update and City of Desert Hot Springs CAP. This would be achieved with an assessment of the project’s compliance with applicable Scoping Plan measures and CAP measures as addressed below.

**Senate Bill 32 2017 Scoping Plan Update**

The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. Table 11 provides an analysis of the project's consistency with the 2017 Scoping Plan Update measures. As shown in Table 11, many of the measures are not applicable to the proposed project, while the proposed project is consistent with strategies that are applicable.

**Table 11: Consistency with SB 32 2017 Scoping Plan Update**

2017 Scoping Plan Update Reduction Measure	Project Consistency
<b>SB 350 50 percent Renewable Mandate.</b> Utilities subject to the legislation will be required to increase their renewable energy mix from 33 percent in 2020 to 50 percent in 2030.	<b>Not applicable.</b> This measure would apply to utilities and not to individual development projects. The proposed project would purchase electricity from a utility subject to the SB 350 Renewable Mandate.
<b>SB 350 Double Building Energy Efficiency by 2030.</b> This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.	<b>Not applicable.</b> This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency over time. The proposed project would comply with the applicable Title 24 Energy Efficiency Standards in effect at the time building permits are received.
<b>Low Carbon Fuel Standard.</b> This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	<b>Not applicable.</b> This is a Statewide measure that cannot be implemented by a project applicant or lead agency. However, vehicles accessing the project site would benefit from the standards.
<b>Mobile Source Strategy (Cleaner Technology and Fuels Scenario).</b> Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million ZEVs on the road by 2030 and increasing numbers of ZEV trucks and buses.	<b>Consistent.</b> The proposed project is industrial in nature and would support truck and freight operations. It is expected that deliveries throughout the State would be made with an increasing number of ZEV delivery trucks, including trips that would be coming to and from the project site. COA GHG-1a would ensure that the proposed project would install infrastructure for the support and operation of zero-emission yard vehicles, interior vehicles, and on-site equipment.
<b>Sustainable Freight Action Plan.</b> The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero emission operation and maximize near-zero emission freight vehicles and equipment powered by renewable energy by 2030.	<b>Consistent.</b> This measure applies to owners and operators of trucks and freight operations. The proposed project is industrial in nature and would support truck and freight operations. MM GHG-1A through GHG-1E would encourage energy efficient development that would not prohibit near-zero vehicles from accessing the project site. In addition, with incorporation of COA GHG-1a, the proposed project would install infrastructure for the support and operation of zero-emission yard vehicles, interior vehicles, and on-site equipment.

2017 Scoping Plan Update Reduction Measure	Project Consistency
<b>Short-Lived Climate Pollutant Reduction Strategy.</b> The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	<b>Consistent.</b> The proposed project would not include major sources of black carbon. This measure revolves around ARB’s SLCP Reduction Strategy that was released in April 2016 as a result of SB 650. SB 650 required the State to develop a strategy to reduce emissions of SLCPs. DPM reductions have come from strong efforts to reduce on-road vehicle emissions. Car and truck engines used to be the largest sources of anthropogenic black carbon emissions in California, but the State’s existing air quality policies will virtually eliminate black carbon emissions from on-road diesel engines within 10 years. These policies are based on existing technologies.
<b>SB 375 Sustainable Communities Strategies.</b> Requires Regional Transportation Plans to include a sustainable communities strategy for reduction of per capita VMT.	<b>Not applicable.</b> The proposed project does not include the development of a Regional Transportation Plan.
<b>Post-2020 Cap-and-Trade Program.</b> The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	<b>Not applicable.</b> The proposed project is not one targeted by the cap-and-trade system regulations, and, therefore, this measure does not apply to the project. However, the post-2020 Cap-and-Trade Program indirectly affects people and entities who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers.
<b>Natural and Working Lands Action Plan.</b> The ARB is working in coordination with several other agencies at the federal, State, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor’s Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California’s natural and working land.	<b>Not applicable.</b> The project site is in a built-up urban area and would not be considered natural or working lands.
Source: California Air Resource Board (ARB). 2017. California’s 2017 Climate Change Scoping Plan. November. Website: <a href="https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf">https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf</a> . Accessed September 1, 2021.	

### ***Desert Hot Springs Climate Action Plan***

Table 12 is provided as an analysis of the proposed project’s consistency with the City of Desert Hot Springs CAP.

**Table 12: Consistency with Desert Hot Springs Climate Action Plan**

Desert Hot Springs CAP Reduction Measure	Project Consistency
<b>Sphere–Where We Live</b>	
Solid Waste. Solid Waste Diversion: Increase solid waste diversion rate by 5 percent to 68.1 percent by 2015 potentially through use of tiered rate structure.	<b>Consistent.</b> The proposed project would be required to comply with AB 341, Mandatory Commercial Recycling, which includes recycling programs that reduces waste to landfills by a minimum of 50 percent.
Solid Waste. Solid Waste Diversion: Increase solid waste diversion rate by an additional 10 percent to 78.1 percent by the end of 2020 potentially through awareness programs, recognition, tiered rate structures, and other financial instruments.	<b>Consistent.</b> The proposed project would be required to comply with AB 341, Mandatory Commercial Recycling, which includes recycling programs that reduces waste to landfills by a minimum of 50 percent.
<b>Sphere-Where We Work</b>	
Commercial Buildings. Energy-Efficient, Commercial-Sector Lighting: Promote and leverage existing incentives for efficient lighting and educate and locally incent building owners to eliminate any remaining T-12 lamps in commercial/industrial buildings.	<b>Consistent.</b> The proposed project would comply with the most recent Title 24 requirements for installation of energy-efficient lighting.
Commercial Buildings. Integrated Lighting Systems: Promote SCE's Energy Management Solutions' energy- efficient lighting linked to building controls and occupancy sensors in minimum of 1 million square feet of commercial/industrial space.	<b>Consistent.</b> The proposed project would comply as needed by the City and include Title 24 consistent lighting.
Government Initiatives. Water Efficient Landscaping Ordinance: Build on and exceed current Water Efficient Landscaping Ordinance in the commercial/industrial sector by 15 percent community-wide by 2020.	<b>Consistent.</b> The proposed project would include landscaping with drought-tolerant plant species as approved by the City of Desert Hot Springs. Plant irrigation would use drip applicators to promote water efficiency.
<b>Sphere-How We Build</b>	
Commercial Buildings. Sustainable Parking Lots: Program to reduce the heat island effect through the promotion of parking lot coverings and coatings and semi permeable surfaces for new construction to achieve 20 percent of existing parking lots, and 80 percent of new parking lots.	<b>Consistent.</b> The proposed project includes the planting of trees in the parking lot that would provide shade and reduce the heat island effect.
Commercial Buildings. "Cool Roofs": Promote the installation of reflective roofing on commercial/industrial properties in the community with recognition for first 10 early adopters.	<b>Consistent.</b> The proposed project would comply with current Title 24 prescriptive cool roof requirements to meet energy compliance.
Government Initiatives. Green Building Program: Promote the voluntary Green Building Program to prepare for enhanced Title 24 requirements and green building standards.	<b>Consistent.</b> The proposed project would be consistent with the most recent Title 24 requirements and green building standards are required by the City Municipal Code.

Desert Hot Springs CAP Reduction Measure	Project Consistency
Water. Stormwater Capture: Promote storm water capture and detention for exterior landscape use (cisterns, rain barrels) to demonstrate 10 new systems by 2020.	<b>Consistent.</b> The proposed project would include stormwater capture, curbs, and gutters consistent with City Municipal Code requirements for industrial development.

In summary, the proposed project is consistent with applicable strategies of the City of Desert Hot Springs CAP and would not conflict with the recommendations and reduction measures outlined in the 2017 Scoping Plan addressing the SB 32 targets. Although incorporation of MM GHG-1A through MM GHG-1E would reduce some GHG emissions, many of the mitigation measures remain unenforceable or do not apply for the proposed project. As discussed under Impact GHG-1, COA GHG-1b would ensure that the project applicant purchases carbon offset credits in the appropriate amount to reduce GHG emissions below the applicable SCAQMD threshold. Considering this information, the proposed project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of GHGs. The impact would be less than significant.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

- MM GHG-1A** The 2019 CALGreen Code contains several voluntary measures that are not formally required. Within one year of adoption of the General Plan Update the City shall adopt an ordinance that incorporates, requires, and makes mandatory certain CALGreen Code voluntary measures as described below.
- 1) Require new residential tentative tract maps that would allow 17 or more dwelling units to provide electric vehicle infrastructure for each dwelling in compliance with Section A4.106.8.1 of the CALGreen Code, and that each dwelling be equipped with a vehicle charging station that has a similar or better functionality than a Level 2 charging station.
  - 2) Require new multifamily projects with 17 or more dwelling units to provide electric vehicle infrastructure for each dwelling in compliance with Section A4.106.8.2 of the CALGreen Code, and that each one of the parking spaces that has such electric vehicle infrastructure be equipped with vehicle charging stations that have a similar to better functionality than a Level 2 charging station.
  - 3) Require new non-residential development projects to provide designated parking for any combination of low-emitting, fuel efficient, and carpool/van pool vehicles pursuant to the Tier 2 requirements of Table A5.106.5.1.2 of the CALGreen Code. Such parking spaces shall be marked pursuant to Section A5.106.5.1.3 of the CALGreen Code.
  - 4) Require new non-residential development projects to provide electric vehicle charging spaces with electric vehicle infrastructure in compliance with Table A5.106.5.3.2 of the California Green Code and be equipped with vehicle charging stations that have similar or better functionality than a Level 2 charging station. Such spaces shall be marked in compliance with Section A5.106.5.3.3 of the CALGreen Code.

**MM GHG-1B** The City shall, if feasible, establish a municipally operated and controlled electricity power provider (Community Choice Aggregation [CCA]) for the City of Desert Hot Springs within 4 years of adoption of the General Plan Update, or otherwise as expeditiously as possible given the City's resources. The overarching purpose and intent of the CCA is to provide 100 percent renewable electricity to all customers in Desert Hot Springs. The CCA will:

Offer electricity at rates that are competitive with those provided by Southern California Edison (SCE).

Offer, at minimum, two options for customers:

- The first, default option shall offer electricity that contains a renewable mix exceeding that provided by SCE.
- The second option shall offer electricity that comes from 100 percent renewable sources.
- Upon its inception, automatically enroll all public and private accounts in the City into the CCA program. All residential and non-residential customers shall be enrolled in the first, default option (i.e., the program that has a renewable mix that exceeds that provided by SCE).

**MM GHG-1C** Within 4 years of the adoption of the General Plan, the City shall consider and evaluate the feasibility of adopting an ordinance that amends Chapter 15.08 of the City's Municipal Code, so that all new residential and/or non-residential development subject to Title 24, Part 6 of the California Building Code achieve Zero Net Energy (ZNE) standards. If the City finds ZNE technology, programs, and/or other strategies are feasible and cost-effective, the City shall adopt a ZNE ordinance as expeditiously as possible given City resources. As defined by the California Energy Commission (CEC) in its 2015 Integrated Energy Policy Report, ZNE standards require the value of the net energy produced by project renewable energy resources equal the value of the energy consumed annually by the project, using the CEC's Time Dependent Valuation.

**MM GHG-1D** The City shall prepare and adopt a Multimodal Mobility Plan within 4 years of adoption of the General Plan Update, or otherwise as expeditiously as possible given City resources. The Multimodal Mobility Plan shall, at a minimum:

- 1) Identify the City's plan for improving and expanding transit amenities and non-vehicular (e.g., bicycle and pedestrian) infrastructure in the City.
- 2) Specify measures or a group of measures that, if implemented on a project-by-project basis, would reduce the number of single-occupancy vehicle trips and fossil fuel powered vehicles operating on roadways within Desert Hot Springs to a percentage that is consistent with reduction in per capita passenger vehicle GHG reduction targets established by CARB for the SCAG region under SB 375. During development of the Multimodal Mobility Plan, the City shall.



- a. Consult with public transit system operators (e.g., Sunline Transportation Agency, Native American tribes, and others, as applicable) to identify potential routes, in the General Plan.
  - b. Revisit the way the City addresses transportation impacts fees. In addition to having fixed fees by development type, adopt a traffic mitigation fee that ensures new development pays its fair share toward roadway and non-vehicular infrastructure improvements.
  - c. Provide the framework for updating the City’s existing Transportation Demand Management (TDM) requirements contained in Chapter 10.56 of the City’s Municipal Code so it applies to additional, residential and non-residential development in the City. The revised TDM program shall specify what percent of vehicle miles traveled must be reduced by the land use, compared to default rates.
- 3) Establish a mechanism to monitor progress toward achieving the goals set forth in the Multimodal Mobility Plan.

**MM GHG-1E** Consistent with General Plan Implementation Policy C-3, the City shall prepare and adopt an updated Climate Action Plan within 5 years of adoption of the General Plan Update, or otherwise as expeditiously as possible given City resources. At a minimum, the Climate Action Plan shall:

- 1) Establish a community-wide greenhouse gas emissions inventory for a single, historic calendar year (e.g., Year 2010, consistent with the City’s current Climate Action Plan, adopted in 2013).
- 2) Quantify greenhouse gas emissions, both existing and proposed over a specified time period. The time period forecasted shall be no less than the Year 2040. Additional, forecasted years (e.g., 2030, 2035, etc.) may be included.
- 3) Identify annual, community-wide greenhouse gas emission reduction targets (i.e., in MTCO<sub>2</sub>e) and/or efficiency targets (i.e., in MTCO<sub>2</sub>e per service population and/or capita) that align the City’s emissions with legislatively adopted Statewide greenhouse gas reduction targets (e.g., AB 32 and SB 32) for a specified calendar year. For a calendar year beyond that which has a legislatively adopted greenhouse gas reduction target, the greenhouse gas emissions reduction goal for 2050 outlined in EO S-3-05 shall be used as a future benchmark. The identified annual, community-wide greenhouse gas emissions target for the City may be an interpolated value based on legislatively adopted Statewide greenhouse gas reduction targets and those issued by Executive Order.
- 4) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified annual, community-wide greenhouse gas emission reduction targets and/or efficiency targets. The Climate Action Plan shall, at a minimum, specifically consider the following measures as well as those contained in the Multimodal Mobility Plan. If the following measures are not adopted, the Climate Action Plan shall clearly discuss why these measures were found to be infeasible.

- a. Develop a detailed Waste Reduction Plan that identifies the City’s strategy for diverting waste from landfills. The Waste Reduction Plan shall target achieving zero waste by 2040.
  - b. Identify the City’s strategy for using recycled water in the City once it becomes available from the Mission Springs Water District. Specifically investigate the feasibility of using such water at non-residential land uses, such as those used for cannabis cultivation. The strategy developed for the City shall be done in consultation with the Mission Springs Water District.
  - c. Establish a provision that, prior to issuing any building or grading permits, the City shall confirm project applicants and/or their designees fully mitigate the greenhouse gas emissions associated with the construction, operation, and vegetation change associated with the proposed project. Compliance options could include: 1) directly undertaking funding activities that reduce or sequester GHG emissions and/or 2) obtaining and retiring carbon offsets through an Approved Registry.
- 5) Establish a mechanism to monitor the plan’s progress toward achieving its community-wide greenhouse gas emission reduction targets and/or efficiency targets, and require amendment if the Climate Action Plan is not achieving specified levels.
- 6) Be adopted in a public process following environmental review.

## Conditions of Approval

### **COA GHG-1a Support Use of Electric-powered Forklifts and Other Interior Vehicles**

All buildings shall be designed to provide infrastructure to support use of electric-powered forklifts and/or other interior vehicles.

All buildings shall be designed to provide electric infrastructure to support use of exterior yard trucks and on-site vehicles. The operation of yard trucks that are used to move trailers and on-site vehicles within the project site shall be powered by electricity unless the project applicant can reasonably demonstrate that specific equipment is not available for a task.

### **COA GHG-1b Purchase Carbon Credits to Offset GHG Emissions Generated During Project Operation that are Above the Applicable SCAQMD Emissions Thresholds**

Prior to the issuance of any certificate of occupancy for the proposed project, the project applicant or project sponsor shall provide the City with documentation, to the City’s satisfaction, which demonstrates verifiable reduction(s) in GHG emissions or offsets in GHG emissions an amount which would be sufficient to offset 20,102 metric tons (MT) carbon dioxide equivalent (CO<sub>2</sub>e) per year starting in 2023 and for the first 30 years of project operations. Alternatively, the project applicant may contribute to a local or regional program or programs or purchase voluntary carbon credits in an amount sufficient to offset GHG emissions beyond South Coast Air

Quality Management District (SCAQMD) significance thresholds over the lifetime of the proposed project (30 years).

All purchased carbon credits and offsets secured for the purpose of satisfying this mitigation shall be pursuant to the following performance standards and requirements: (i) the carbon offsets shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions as set forth in California Health and Safety Code Section 38562(d)(1); and (ii) one carbon offset credit shall mean the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is “not otherwise required” (CEQA Guidelines Section § 15126.4(c)(3)).

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to GHG emissions beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>IX. Hazards and Hazardous Materials</b> <i>Would the project:</i>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact.	No	No	No	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?	Less than significant impact.	No	No	No	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?	Less than significant impact.	No	No	No	None
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact.	No	No	No	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 or excessive noise for people residing or working in the project area?	No impact.	No	No	No	None

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact.	No	No	No	None
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	Less than significant impact.	No	No	No	None

## Discussion

- a) Based on the 2020 EIR, hazardous materials and wastes will be routinely transported, used, and disposed of within the Planning Area. The GPU proposed policies ensure that hazardous materials and wastes users and producers use, transport, and dispose of materials and wastes in accordance with State and Federal regulations. The City would ensure proper permitting of hazardous materials storage, use and disposal with Riverside County Fire District (RCFD) and appropriate County, State, and federal agencies. Continued enforcement of Federal and State law combined with consultations with federal, State, and County agencies, potential hazards associated with hazardous materials and wastes would be less than significant.

The proposed warehouse and distribution center would provide e-commerce fulfillment activities. The proposed project would not handle ignitable, reactive, corrosive, or toxic materials and, thus, Mitigation Measure Hazards would not apply. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

- b) The 2020 EIR states that with increased construction to accommodate for proposed population growth and development, there is an increased risk for large-scale accidents involving the transportation of hazardous materials or wastes that can result in extensive cleanup efforts at significant cost. GPU policies are designed to ensure that hazardous materials and wastes, their transport, and disposal are in accordance with State, federal, and local regulations. With continued enforcement of existing regulations and implementation of the goals and policies of the proposed GPU, potential hazards associated with the use, transport, disposal, and release of hazardous materials and wastes would be less than significant.

Geosyntec Consultants conducted a Phase I Environmental Site Assessment (Phase I ESA) for the project site to identify Recognized Environmental Conditions (RECs). RECs include known or potential releases of hazardous substances and petroleum products that could have impacted

the soil and/or groundwater at the project site. The Phase I ESA revealed no evidence of RECs, Controlled Recognized Environmental Conditions (CRECs), Historical Recognized Environmental Conditions (HRECs), or de minimis conditions on the project site. The proposed project would not handle ignitable, reactive, corrosive, or toxic materials. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- c) According to the 2020 EIR, GPU Policy SN-3.4 will discourage the siting of facilities that utilize hazardous materials or generate hazardous wastes within one-quarter mile of any private or public school. Proposed projects, including schools, under the GPU, are required to complete Environmental Site Assessments to determine if hazardous materials are present in the area. Mitigation shall be incorporated into any project that may expose sensitive receptors to hazardous materials or waste to avoid or minimize health impacts, and the City would be required to make specific findings to document that consideration. As such, impacts would be less than significant.

The nearest school is Two Bunch Palms Elementary, located at 14250 West Drive, approximately 3 miles northeast of the project site. Therefore, the project site is not located within 0.25 mile of a school. Consistent with the 2020 EIR, construction of a warehouse and distribution facility on the project site would not create land uses that emit hazardous emissions or handle hazardous such as agricultural, industrial, or resource extraction. This precludes the possibility that the proposed project would result in the emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. Therefore, the proposed project would not introduce new impacts or create more severe impacts related to hazardous emissions or materials within 0.25 mile of a school than those previously analyzed in the 2020 EIR. No additional analysis is required.

- d) Based on the 2020 EIR, the City's Planning Area does not contain any hazardous material sites. Construction of new facilities may warrant inclusion on a list pursuant to Government Code Section 65962.5, but any such projects will be permitted separately. Therefore, the 2020 EIR concluded that impacts would be less than significant.

The Phase I ESA report included the following actions: (1) review of pertinent information/documents provided by the applicant; (2) review of environmental databases for the project site and vicinity; (3) review of historical land usage via historical aerial photographs, fire insurance maps, city directories, and United States Geological Survey (USGS) topographic maps, and past reports on the property, as available; (4) a site visit to perform a visual reconnaissance.

Based upon the results of an environmental database search, the Phase I ESA identified one "unplottable site" which could not be mapped due to the lack of sufficient address information. Geosyntec identified the approximately location of this property approximately 0.75-mile west of the project site. Based on the available information, this listing is unlikely to have impacted the project site.

Geosyntec searched the California State Water Resources Control Board (State Water Board) GeoTracker4 database where unauthorized release records were available for online search. No records were found for the project site; however, records were available for nearby sites of concern:

- Shell North Palm Springs located at 20000 North Indian Avenue, North Palm Springs, CA, (approximately 0.5-mile west of the project site, hydraulically cross-gradient) was listed as a Leaking Underground Storage Tank (LUST) cleanup site with impacts to soils only. On February 1, 1999, soil samples were collected during dispenser and piping upgrade activities for a 10,000-gallon gasoline underground storage tank (UST). The results were submitted to Riverside County Environmental Health Department (RCDEH) and the facility was entered into the Local Oversight Program (LOP). Additional soil sampling was conducted on June 9, 1999, from six borings and no petroleum hydrocarbon constituents were detected in the soil samples analyzed. On October 21, 1999, the case was closed and received a no further action letter from the Riverside County Department of Public Health.
- 76 Station 5699 located at 19995 Indian Avenue, North Palm Spring, CA, (approximately 0.5-mile west of the project site, hydraulically cross-gradient) was listed as a LUST cleanup site with impacts to soils only. RCDEH issued a no further action letter for the facility on April 17, 2009.

Based on the available information, these facilities have a low potential to adversely affect the project site. Closure documents for the facilities are presented in Appendix F.

There were no hazardous materials sites observed within the project site. Furthermore, the Phase I ESA did not reveal evidence of RECs, CRECs, HRECs, or de minimis conditions on the project site. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those previously analyzed in the 2020 EIR. No further analysis is required.

- e) According to the 2020 EIR, the City's Planning Area is not located within 2 miles of a public airport nor is the Planning Area located within an Airport Land Use Plan. The closest commercial airport, Palm Springs International Airport, is approximately 10 miles to the south of the City of Desert Hot Springs. The proposed project would not result in a safety hazard and there would be no excessive noise generated. Therefore, no impact would occur.

As mentioned above, the nearest commercial airport to the project site is approximately 10 miles south of the City of Desert Hot Springs and the project site is not located within the boundaries of the airport influence area. Because the sites are not located within 2 miles of a public or public use airport, and because the sites are not in an airport influence area, the proposed project would not result in safety hazards or excessive noise beyond those analyzed in the 2020 EIR. Additionally, there are no private airstrips in the vicinity of the project site. Therefore, the proposed project would not have any impacts related to a private airstrip and would not create any hazards for people in the area. Therefore, the proposed project would not introduce environmental impacts related to a public or public use airport or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- f) According to the 2020 EIR, the City and County have adopted Hazard Mitigation Plans and participate in the Riverside County Multi-Hazard Mitigation Plan. The City also has a detailed Emergency Operations Plan (EOP) which provides the basis for the City's emergency planning. Implementation of the GPU would not impair implementation or physically interfere with an emergency plan, as each project would be reviewed for interference with emergency operations upon approval. Therefore, impacts would be less than significant.

The proposed project would include four driveways along a proposed new access road to the west of the project site, two driveways along 19<sup>th</sup> Avenue, and one driveway along 20<sup>th</sup> Avenue. The applicant would be required to demonstrate compliance with applicable Fire Code requirements on final building plans. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- g) According to the 2020 EIR, the City has incorporated special on-site fire protection measures to be specified during project review for areas where the fire hazard potential exists, specifically in hilly areas with slopes of 10 percent or greater, and areas with access problems, lack of water, or excessively dry brush. The RCFD has identified a need for a fire station along the southern portion of the City near industrial uses with equipment to accommodate taller industrial buildings. Any new fire station will need permanent funding, in addition to impact fees collected during the planning period to pay for the development of the station(s). Therefore, impacts would be less than significant.

The project site is not located in a High Fire Hazard Severity Zone or in a Very High Fire Hazard Severity Zone as mapped by California Department of Forestry and Fire Protection (CAL FIRE), and the project site is not located in a State Responsibility Area (SRA).<sup>26</sup> As such, the proposed project would not directly or indirectly expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore, the proposed project would not introduce environmental impacts related to wildland fires or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None required.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to hazards and hazardous materials beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

<sup>26</sup> California Department of Forestry and Fire Protection (CAL FIRE). 2021. Fire Hazard Severity Zones Maps. Website: <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>. Accessed November 2, 2021.



Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>X. Hydrology and Water Quality</b> <i>Would the project:</i>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less than significant impact.	No	No	No	None
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than significant impact with mitigation incorporated.	No	No	No	MM UTL-1
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	Less than significant impact.	No	No	No	None
(i) result in substantial erosion or siltation on- or off-site;	Less than significant impact.	No	No	No	None
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Less than significant impact.	No	No	No	None
(iii) 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; or	Less than significant impact.	No	No	No	None
(iv) impede or redirect flood flows?	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than significant impact.	No	No	No	None
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than significant impact with mitigation incorporated.	No	No	No	MM UTL-1

The analysis in this section is based, in part, on the Draft Hydrology Report, prepared by Langan Engineering and Environmental Services, Inc. (Langan) on September 24, 2021 (Appendix G).

## Discussion

- a) The 2020 EIR determined that future development within the Planning Area could increase urban runoff from a variety of sources (including new residential, commercial, industrial, institutional, recreational, utility, and roadway development) and could increase pollutants in downstream waters. Growth and new development associated with implementation of the GPU would be subject to existing water quality regulations and programs. These programs establish water quality standards and enforcement procedures, and new development associated with the GPU would be required to comply with these programs and regulations. Implementation of the policies, in conjunction with compliance with existing regulatory programs, would ensure that water quality impacts related to implementation GPU would be less than significant.

The proposed project would be required to adhere to existing programs and regulations, and implement a SWPPP, which would reduce potential impacts related to violation of water quality standards or waste discharge requirements. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

- b) According to the 2020 EIR, future development within the Planning Area would require additional water services, the majority of which would come from local groundwater sources. The GPU includes several policies aimed at conserving water resources, including Policy OS-3.1, which required water conservation measures in new development, equivalent to CALGreen Tier One or similar standards. Urban water suppliers are required to adopt urban water management plans, which include a detailed evaluation of supplies necessary to meet water demands. These water management plans are filed with the California Department of Water Resources (DWR) and must be updated every 5 years. MM UTL-1 does not allow approval of

new development associated with the implementation of the GPU if they increase water use in excess of what is identified for supply in 2040 under the most recent UWMP. With implementation of MM UTL-1, in addition to the applicable GPU policies and existing applicable policies and regulations, this potential impact would be considered less than significant.

Consistent with the discussion and analysis in the 2020 EIR, the project site would be served by the existing groundwater supplies provided by the MSWD. MSWD receives 100 percent of its water supply from groundwater produced from subbasins within the Coachella Valley Groundwater Basin, which underlies the District’s water service area. MSWD primarily produces groundwater from the Mission Creek Subbasin via eight active wells, as well as from the Indio Subbasin via three active wells, and the San Geronio Pass Subbasin via two active wells. As stated in the 2020 Coachella Valley Regional Urban Water Management Plan (UWMP), in general, existing groundwater quality from MSWD is excellent. MSWD is actively pursuing a program to properly place residences/businesses in the district on the MSWD water supply system and promoting the proper abandonment of unused/inactive wells. Table 8-20 of the 2020 Coachella Valley Regional UWMP outlines projected water supplies through 2045, with an estimated supply projection of 12,495 AFY for 2045. Furthermore, the UWMP indicates that MSWD would have adequate groundwater supply to accommodate future demand during normal, single dry, and multiple dry years through 2045.<sup>27</sup> In addition, the MSWD UWMP identifies contingency planning in the case of water shortages. As indicated above, the UWMP identified that future development, including the proposed project would not exceed MSWD supplies. In addition, the proposed project would include the construction of detention basins, which would support groundwater recharge at the site. As such, the proposed project would not increase water use in excess of what was identified for supply in the UWMP. Therefore, the proposed project would not introduce new impacts or create more severe impacts associated with groundwater supplies or groundwater recharge than those previously analyzed in the 2020 EIR. No additional analysis is required.

c) i) **Erosion**

According to the 2020 EIR, short-term and long-term development activities could potentially result in erosion and siltation impacts as a result of alteration of natural drainage patterns. Erosion effects during the construction phase of development would be prevented through required implementation of a SWPPP and through compliance with the NPDES program and the incorporation of BMPs intended to reduce soil erosion. Soil erosion impacts would be less than significant with implementation of existing regulations.

The proposed project naturally drains from north to south and development would maintain the natural drainage pattern. Proposed inlet structures are located throughout the site to capture surface runoff. Roof downspouts are connected to the proposed underground on-site storm drainage system, which will convey flows to the south and discharge into the infiltration

<sup>27</sup> Water Systems Consulting, Inc. 2021. 2020 Coachella Valley Regional UWMP. Website: <http://www.cvwtd.org/DocumentCenter/View/5482/Coachella-Valley-RUWMP>. Accessed February 18, 2022.

basins.<sup>28</sup> Furthermore, as mentioned above, the proposed project would be required to implement a SWPPP, which would reduce impacts associated with soil erosion. As such, the proposed project would not introduce new impacts or create more severe impacts associated with erosion than those previously analyzed in the 2020 EIR. No additional analysis is needed.

ii) **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site.**

The 2020 EIR concluded that implementation of the GPU would result in an increase of development within the Planning Area, which could result in an increase in surface runoff compared to existing conditions. However, compliance with existing policies and regulatory programs and would ensure that flooding would not occur.

As mentioned in Impact(a) and Impact(c)(i) above, proposed inlet structures are located throughout the site to capture surface runoff. Roof downspouts are connected to the proposed underground on-site storm drainage system, which would convey flows to the south and discharge into the infiltration basins. Stormwater drainage from the west half and east half of the site will discharge into Infiltration Basin A and Infiltration Basin B, respectively. Both infiltration basins would be designed to meet water quality requirements and attenuate the 100-year, 24-hour storm. Overflow structures are proposed on the infiltration basins in the event where stormwater exceeds the capacity of these basins. Drainage from the off-site property to the north would be captured by a proposed 10-foot-wide drainage swale along the east property line of the site. This strategy is consistent with the West Desert Hot Springs Master Drainage Plan,<sup>29</sup> prepared by the Riverside County Flood Control and Water Conservation District. Drainage from the proposed swale would flow onto 20<sup>th</sup> Avenue and discharge into Mission Creek to the east. Therefore, the proposed project would not introduce new impacts or create more severe impacts associated with runoff than those previously analyzed in the 2020 EIR. No additional analysis is needed.

(iii) **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.**

According to the 2020 EIR, the increase in development in the Planning Area, and therefore impervious surfaces, also increases the amount of urban runoff that generally increases the amount of pollutants within the stormwater. In addition to the implementation of GPU policies, the City's Engineering Department requires that new development projects do not increase the rate of storm flows from the developing property, and requires developments to construct Master Drainage Plan (MDP) facilities or portions of facilities that may be located on-site or adjacent to a site or that may be required by a development's impacts. Therefore, the proposed project's impacts would be less than significant.

<sup>28</sup> Langan Engineering and Environmental Services, Inc. 2021. Draft Hydrology Report. September.

<sup>29</sup> Riverside County Flood Control and Water Conservation District. 2015. West Desert Hot Springs Master Drainage Plan Zone 6. March.

As previously mentioned in Impact(a), Impact(c)(i) and Impact(c)(ii), the proposed infiltration basins would be designed to meet water quality requirements and attenuate the 100-year, 24-hour storm. Overflow structures are proposed on the infiltration basins in the event where stormwater exceeds the capacity of these basins. Drainage from the off-site property to the north would be captured by a proposed 10-foot-wide drainage swale along the east property line of the project site. Therefore, the proposed project would not introduce new impacts or create more severe impacts associated with runoff than those previously analyzed in the 2020 EIR. No additional analysis is needed.

iv) Impede or redirect flood flows

The 2020 EIR concludes that, as is currently allowed within the City, implementation of the GPU would allow development within portions of floodplains, which could potentially place structures within a floodplain, such as roads, bridges, commercial development, and drainage control facilities. All development associated with implementation of the GPU would be required to adhere to the provisions outlined in the municipal code and policies in the GPU designed to ensure that any future structures proposed within a floodplain do not negatively impede or redirect floodwaters. Therefore, impacts would be less than significant.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the site is located within Zone “X,” which is identified as “Areas of 0.2 percent annual chance flood areas of 1 percent annual chance flood with average depths of less than foot or with drainage areas less than 1 square mile and areas protected by levees from 1 percent annual chance flood.”<sup>30</sup>

Roof downspouts would connect to the proposed underground on-site storm drainage system, which will convey flows to the south and discharge into the infiltration basins. Stormwater drainage from the west half (Area A) and east half (Area B) of the site would discharge into Infiltration Basin A and Infiltration Basin B, respectively. Drainage from the off-site property to the north would be captured by a proposed 10-foot-wide drainage swale along the east property line of the site. Drainage from the proposed swale would flow onto 20<sup>th</sup> Avenue and discharge into Mission Creek to the east. With implementation of the proposed drainage system, impacts associated with flooding would be less than significant.

- d) The California Department of Conservation does not identify Desert Hot Springs as within a tsunami inundation map.<sup>31</sup> The Planning Area does not contain any open reservoirs, lakes, or other large bodies of water. The Wide Canyon Dam, constructed in 1968, is located easterly of the City and catches drainage from a large area to the northeast. In the unlikely event of the dam’s failure during a large storm event, a very small portion of the Planning Area would be affected. Given the existing regulations and policies addressing development in flood hazard areas, in addition to the minimal risk associated with tsunamis, seiches, and dam failure, the

<sup>30</sup> Federal Emergency Management Agency (FEMA). FEMA Flood Insurance Rate Map. Website: FEMA Flood Map Service Center | Search By Address. Accessed September 30, 2021.

<sup>31</sup> California Department of Conservation. 2019. California Tsunami Maps and Data. Website: California Tsunami Maps and Data. Accessed July 29, 2021.

potential for development associated with implementation of the GPU to be subject to risk of release of pollutions due to inundation would be considered less than significant.

According to the Hydrology Report prepared for the project, the entire project site is located within FEMA Flood Insurance Map Zone “X,” which is identified as “Areas of 0.2 percent annual chance flood areas of 1 percent annual chance flood with average depths of less than foot or with drainage areas less than 1 square mile and areas protected by levees from 1 percent annual chance flood.” Therefore, the proposed project would not introduce new impacts or create more severe impacts associated with flood hazard areas than those previously analyzed in the 2020 EIR.

- e) According to the 2020 EIR, the Water Quality Control Plan (Basin Plan) for the Colorado River Basin is designed to preserve and enhance water quality in the region. As described in the Basin Plan, the RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to persons including individuals, communities, or businesses whose waste discharges may affect water quality. In addition, the Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. MM UTL-1 does not allow approval of new development associated with the implementation of the GPU if they increase water use in excess of what is identified for supply in 2040 under the most recent UWMP. With implementation of the MM UTL-1, in addition to the applicable GPU policies and existing applicable policies and regulations, this potential impact would be considered less than significant.

The proposed project would comply with the requirements of the Riverside County Flood Control and Water Conservation District and would satisfy the requirements of the NPDES Program. The proposed project would not conflict with the guiding and implementing policies of the General Plan related to hydrology and water quality. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

- MM UTL-1** Developments under the GPU that will be served by local utility providers, will not be approved if they increase water use in excess of what is identified for supply in 2040 under the most recent UWMP.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to hydrology and water quality beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XI. Land Use and Planning</b> <i>Would the project:</i>					
a) Physically divide an established community?	Less than significant impact.	No	No	No	None
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact.	No	No	No	None

## Discussion

- a) The 2020 EIR concluded that the GPU is a policy document designed to direct long-term growth within the Planning Area and does not propose major circulation changes that would restrict access to an area of the City. Implementation of the GPU would not physically divide an established community, therefore, impacts would be less than significant.

The project site does not contain any dwelling units and, thus, the proposed project would not divide an established community. Therefore, no impact would occur. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

- b) The 2020 EIR includes a discussion of potential conflicts between the GPU and applicable planning documents. The SCAG Regional Council adopted the 2016-2040 RTP/SCS in April 2016. Population growth associated with the GPU would exceed the projected population growth forecast from SCAG. The GPU is a citywide update and would replace the existing 2000 General Plan. The GPU would support many of the major goals established in the 2000 General Plan. The City has several adopted specific plans, some of which are outdated and need to be revised or rescinded and the GPU includes a policy requiring updates or rescinding of specific plans. The Zoning Ordinance details land use regulations and development standards within the City and would need to be updated to reflect the changes in the GPU. These revisions would ensure that development standards and would be consistent with the development patterns identified within the GPU. The implementation of the GPU would not cause a significant environmental impact due to a conflict with any land use policy adopted for the purpose of avoiding or mitigating an environmental effect and, therefore, impacts would be less than significant.

The project site is designated “Industrial” with an Industrial Cannabis overlay by the City of Desert Hot Springs and zoned “IL-Light Industrial” by the Desert Hot Springs Zoning Ordinance. The proposed project is consistent with these designations.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None required.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to land use and planning beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.



Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XII. Mineral Resources</b> <i>Would the project:</i>					
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?	Less than significant impact.	No	No	No	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?	No impact.	No	No	No	None

## Discussion

- a) The 2020 EIR concluded that future development guided by the GPU would result in the loss of known Statewide, regional, and locally valuable mineral resources if an area was developed above or, potentially, adjacent to the mineral deposits. Most of the Planning Area is designated as having little potential for development of mineral resources. Therefore, a less than significant impact to the availability of known mineral resources of value to the region or State will occur as a result of implementation of the GPU.

The project site does not contain a known mineral deposit, nor does it support mineral extraction operations. The project site is not designated an area of significant mineral deposits. Thus, the proposed project would not result in the loss of known mineral resources or deposit sites, nor is there high potential for mineral resources to be identified in the already undeveloped area. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

- b) According to the 2020 EIR, the existing Desert Hot Springs General Plan and the Riverside County General Plan do not identify any locally important mineral resources. No other planning documents identify any locally important mineral resources. No impacts to locally important mineral resources could occur as a result of the implementation of the GPU. No impact to the availability of known mineral resources of value to the region or State will occur as a result of implementation of the GPU.

The project site does not contain a known mineral deposit, nor does it support mineral extraction operations.<sup>32</sup> The project site is not designated an area of significant mineral deposits. Thus, the proposed project would not result in the loss of known mineral resources or deposit sites, nor is there high potential for mineral resources to be identified in the already undeveloped area. Therefore, the proposed project would not introduce new impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None required.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to mineral resources beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

<sup>32</sup> City of Desert Hot Springs. General Plan 2020. Open Space and Natural Resources Element. Figure OS-4: Mineral Resources.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XIII. Noise</b> <i>Would the project:</i>					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant impact.	No	No	No	None
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less than significant impact.	No	No	No	None
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No impact.	No	No	No	None

This analysis is based on the Noise Impact Analysis Report, prepared by FCS and included in Appendix H.

## Discussion

- a) The 2020 EIR concluded that there are no sensitive receptor land uses within 200 feet of the project site and would not introduce new or more severe impacts than those previously analyzed. In addition, stationary noise source impacts would be less than significant. The 2020 EIR identified that traffic noise increase impacts would be potentially significant and unavoidable.

### **Construction Noise Impacts**

#### *Construction-Related Traffic Noise*

Noise impacts from construction activities associated with the project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. Project construction would

result in short-term noise impacts due to the increase in traffic flow on local streets associated with the transport of workers and equipment. Project-related construction trips would not be expected to double the hourly or daily traffic volumes along any roadway segment in the project vicinity and noise from construction trips would not be expected to result in a perceptible increase in hourly- or daily average traffic noise levels in the project vicinity. Therefore, short-term construction-related noise impacts associated with the transportation of workers and equipment to the project site would be less than significant.

#### *Construction Equipment Operational Noise*

Construction is completed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site and, therefore, the noise levels surrounding the site as construction progresses. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment such as bulldozers, draglines, etc. Construction of the project is expected to require the use of scrapers, bulldozers, water trucks, haul trucks, and pickup trucks.

The closest noise-sensitive receptor to the project site is the Motel 6 North Palm Springs on 20<sup>th</sup> Avenue. The façade of this nearest sensitive receptor would be located approximately 3,100 feet from the acoustic center of construction activity where multiple pieces of heavy construction equipment would operate simultaneously during project construction. At this distance, relative worst-case maximum construction noise levels would attenuate to below the documented existing traffic noise levels at this receptor. Therefore, the analysis demonstrates that noise levels from temporary construction activities would not exceed existing ambient noise levels, as measured at this nearest sensitive receptor, and project-related construction noise levels would result in a less than significant noise impact.

As noted above, the 2020 EIR identified that construction noise impacts could be potentially significant but would be reduced to less than significant with implementation of MM NOI-1. However, because there are no sensitive receptor land uses within 200 feet of the project site, MM NOI-1 of the 2020 EIR would not apply to the proposed project. In addition, potential construction noise impacts are shown to be less than significant. Therefore, the proposed project would not introduce new construction noise impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

#### ***Mobile Source Operational Noise Impacts***

A significant impact would occur if implementation of the proposed project would result in a substantial increase in traffic noise levels compared with traffic noise levels existing without the project. As noted in the characteristics of noise discussion, audible increases in noise levels refer to a change of 3 A-weighted decibel (dBA) or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Therefore, an increase of 3 dBA or above existing traffic noise levels would be considered a substantial permanent increase in traffic noise levels for the purpose of this analysis.

Traffic noise levels along selected roadway segments in the project vicinity were modeled using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model (FHWA-RD-77-108). The daily traffic volumes on local roadways were obtained from the traffic analysis prepared for the proposed project by Kimley-Horn.<sup>33</sup> Table 13 shows the traffic noise model results and the resulting project increase in traffic noise levels.

**Table 13: Traffic Noise Increase Summary**

Roadway Segment	Year 2023 (without Project) (dBA) CNEL	Year 2023 Plus Project (dBA) CNEL	Increase over Year 2023 without Project (dBA)	Cumulative (without Project) (dBA) CNEL	Cumulative Plus Project (dBA) CNEL	Increase over Cumulative without Project (dBA)
Interstate 10—at the Indian Canyon Drive interchange	77.5	77.6	0.1	77.5	77.6	0.1
Indian Canyon Drive—20 <sup>th</sup> Avenue to 19 <sup>th</sup> Avenue	68.7	69.5	0.8	68.7	69.6	0.9
Indian Canyon Drive—19 <sup>th</sup> Avenue to Coachillin Way	68.7	69.1	0.4	68.7	69.1	0.4
<p>Notes: CNEL = Community Noise Equivalent Level dBA = A-weighted decibel <sup>1</sup> Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather, they assume a worst-case scenario of having a direct line of sight on flat terrain. Source: FCS 2021.</p>						

As noted above, the 2020 EIR identified that traffic noise increase impacts would be potentially significant and unavoidable. However, as shown in Table 13 the highest traffic noise level increase with implementation of the project would be less than 1 dBA for every modeled roadway segment and traffic scenario. This is below any increase that would be considered a substantial increase in traffic noise. Therefore, implementation of the proposed project would not result in a substantial increase in traffic noise levels compared with traffic noise levels existing without the project.

Therefore, the proposed project would not introduce new traffic noise impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

### ***Stationary Source Operational Noise Impacts***

The proposed project would generate noise from truck delivery, loading and unloading activities at commercial loading areas; parking lot activities, which includes people conversing, doors shutting, engine startup, and slow-moving vehicles; and from new exterior mechanical

<sup>33</sup> Kimley-Horn. February 2022. Traffic Analysis for Project Viento.

equipment sources, such as rooftop ventilation systems. Potential impacts from these noise sources are discussed below.

#### *Truck Loading Activities*

Noise would be generated by truck loading and unloading activities at the loading docks along the southern, western, and northern sides of the proposed building. The nearest noise-sensitive receptor is Motel 6 North Palm Springs located west of the project site on 20<sup>th</sup> Street, more than 4,000 feet from the nearest proposed loading dock. Due to distance attenuation, noise levels from truck loading and unloading activities would not exceed existing ambient noise levels, as measured at this nearest sensitive receptor. In addition, the proposed project would not locate loading and unloading activities within 1,000 feet of a sensitive receptor. Therefore, noise levels from truck loading and unloading activities would not generate a substantial temporary or permanent increase in ambient noise levels in the project vicinity and would be less than significant.

#### *Parking Lot Activities*

Typical parking lot activities include people conversing, doors shutting, and vehicles idling. The nearest noise-sensitive receptor to proposed parking areas is the Motel 6 North Palm Springs located west of the project site. Proposed parking areas could be located over 3,200 feet from this closest sensitive receptor. At this distance, noise levels from parking lot activities would not exceed existing ambient noise levels, as measured at this nearest sensitive receptor. Therefore, impacts are less than significant.

#### *Mechanical Equipment Operations*

The nearest noise-sensitive receptor to proposed rooftop mechanical ventilation equipment is the Motel 6 North Palm Springs located west of the project site. Rooftop mechanical ventilation equipment could be located approximately 3,700 feet from this closest sensitive receptor. At this distance, noise levels from mechanical equipment operations would not exceed existing ambient noise levels, as measured at this nearest sensitive receptor. Therefore, impacts would be less than significant.

Therefore, the proposed project would not introduce new stationary source noise impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

- b) The 2020 EIR concluded that vibration impacts would be less than significant.

A significant impact would occur if the project would generate groundborne vibration or groundborne noise levels in excess of established standards. The City of Desert Hot Springs has not established vibration standards for temporary construction activities. Therefore, the Federal Transit Administration (FTA) vibration impact criteria are utilized for the purpose of this analysis. The FTA has established industry accepted standards for vibration impact criteria and impact assessment.

### ***Short-Term Construction Vibration Impacts***

Of the variety of equipment used during construction, the large vibratory rollers that are anticipated to be used in the site preparation phase of construction would produce the greatest groundborne vibration levels.

The nearest off-site receptor to the project construction footprint is the commercial building located west of the project site on Little Morongo Road. The façade of this closest structure would be located approximately 1,300 feet from the construction footprint where the heaviest construction equipment would potentially operate. At this distance, project construction activities would not generate groundborne vibration or groundborne noise levels in excess of established standards, and the impact to off-site receptors from short-term groundborne vibration associated with construction would be less than significant.

### ***Operational Vibration Impacts***

Implementation of the proposed project would not include any new permanent sources that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any existing sensitive land use in the project vicinity. Therefore, the proposed project would not generate groundborne vibration or groundborne noise levels in excess of established standards and there would be no impact related to operational groundborne vibration.

This analysis also shows that project vibration impacts would be less than significant. Therefore, the proposed project would not introduce new vibration impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

- c) The 2020 EIR concluded that airport noise impacts would be less than significant.

The nearest public airport to the project site is the Palm Springs International Airport, located approximately 4.5 miles southeast of the project site. While aircraft noise is occasionally audible on the project site from aircraft flyovers, aircraft noise associated with nearby airport activity would not expose people residing or working near the project site to excessive noise levels. Therefore, implementation of the project would not expose persons residing or working in the project vicinity to noise levels from airport activity that would be in excess of normally acceptable standards for the proposed land use development, and no impact would occur.

This analysis shows that no impact would occur with implementation of the project. Therefore, the proposed project would not introduce new aircraft noise impacts or create more severe impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

## **Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project**

None required.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant noise or vibration impacts beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.



Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XIV. Population and Housing</b> <i>Would the project:</i>					
a) Induce substantial unplanned 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)?	Less than significant impact.	No	No	No	None
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than significant impact.	No	No	No	None

## Discussion

- a) According to the 2020 EIR, the GP does not determine the rate of growth in Desert Hot Springs; rather, it allocates growth as it occurs in accordance with the City’s policies for type, intensity, and location as set forth in the GPU. New development occurring in currently undeveloped areas would be required to expand infrastructure to serve their development, but such expansion would not occur on its own to induce growth. Therefore, physical impacts from increased population growth in itself are less than significant.

The proposed project does not include new residential uses; and therefore, it would not directly increase the population of the City. The proposed project would require a temporary construction and permanent operational workforce. The temporary workforce would be needed to construct the warehouse and distribution facility and associated off-site improvements. The number of construction workers needed during any given time period would largely depend on the specific stage of construction, but would likely range between a few dozen to nearly one hundred. Once operational, the proposed project would require approximately 1,874 employees. Current data (June 2021) provided by the California Employment Development Department (EDD) found that the unemployment rate for Riverside County is 7.9 percent, or 87,500 people.<sup>34</sup> According to the U.S. Bureau of Labor Statistics, the City of Desert Hot Springs has a higher unemployment rate than the County at 11.2 percent in

<sup>34</sup> California Employment Development Department. Monthly Labor Force Data for Counties. Website: <https://edd.ca.gov/newsroom/unemployment-june-2021.htm>. Accessed July 27, 2021.

June of 2021.<sup>35</sup> As such, the proposed project's temporary and permanent employment requirements could be met by the City and County's existing labor force without people needing to relocate into the City. Because of the nature of the proposed project, the kinds of labor skills required are typically filled by workers who are already present in the local labor force. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

- b) The 2020 EIR concluded that the GPU does not propose any policies that are intended to or that would indirectly result in displacement or demolition of any permanent or temporary residential structures, or otherwise result in displacement of people or businesses. Therefore, the impact was determined to be less than significant.

There are no dwelling units within the project site, and thus, no housing would be displaced. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None required.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to population and housing beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

<sup>35</sup> United States Bureau of Labor Statistics. Unemployment Rate: Desert Hot Springs, CA. 2019-2021, Website: <https://beta.bls.gov/dataViewer/view/timeseries/LAUCT061899600000003>. Accessed November 11, 2021.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XV. Public Services</b> <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>					
a) Fire protection?	Less than significant impact after mitigation.	No	No	No	MM PS-2
b) Police protection?	Less than significant impact.	No	No	No	None
c) Schools?	Less than significant impact.	No	No	No	None
d) Parks?	Less than significant impact.	No	No	No	None
e) Other public facilities?	Less than significant impact.	No	No	No	None

## Discussion

- a) The 2020 EIR determined that new development may increase demand for fire protection and set forth MM PS-2, indicating that all projects are subject to CEQA review and must provide adequate fire prevention and emergency medical services. The 2020 EIR concluded that implementation of the mitigation measures would reduce impacts to a less than significant level.

According to the GP, the proposed project would be served by Fire Station 37, located at 65958 Person Boulevard, approximately 3.72 miles north of the project site.<sup>36</sup> Four driveways along a proposed new access road to the west of the project site, two driveways are proposed along 19<sup>th</sup> Avenue, and one driveway is proposed along 20<sup>th</sup> Avenue. The project applicant would be required to comply with applicable Fire Code requirements on final buildings plans. Furthermore, the proposed warehouse and distribution facility would not induce substantial population growth in the City of Desert Hot Springs because it would not include any residential units or permanent housing. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

- b) The 2020 EIR determined that the GPU would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new

<sup>36</sup> City of Desert Hot Springs General Plan. 2020. Mobility and Infrastructure Element. Fire Services. May.

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 police protection. If a new facility were to be built throughout the term of the GPU, it would need to comply with existing environmental regulations.

Environmental review would identify site specific conditions and physical changes resulting from police station expansion and construction of new stations or substations. The 2020 EIR concluded that impacts would be less than significant.

The project site is located approximately 5 miles south of Desert Hot Springs Police Department at 65950 Pierson Boulevard and would therefore not require new police facilities to serve the proposed project. The proposed warehouse and distribution facility would not result in potential impacts that would be more severe than were analyzed in the 2020 EIR. Therefore, the proposed project would not introduce new impacts or create more severe impacts related to police protection services than those previously analyzed in the 2020 EIR. No additional analysis is required.

- c) The 2020 EIR determined that the GPU would not 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 schools. According to the 2020 EIR, the GPU anticipates generating 13,000 students in 2040. The 2020 EIR determined that, pursuant to State law, collection of fees by school districts is sufficient in mitigating any potential impacts to school facilities resulting from long-term growth in the community. The 2020 EIR concluded that impacts would be less than significant.

The nearest school is Two Bunch Palms Elementary, located at 14250 West Drive, 3 miles northeast of the project site. The project site land use designation does not allow for new or increased residential uses and the proposed warehouse and distribution facility does not include residential units, therefore the number of students generated by buildout would not change as a result of the proposed project. Any proposed population increase associated with the number of proposed employees is consistent with the projections of the General Plan. Because the proposed project would not generate a residential population and would not change the number of new students anticipated in the 2020 EIR, the impacts of the proposed project would not be more severe than those analyzed in the 2020 EIR. No additional analysis is required.

- d) The 2020 EIR determined that the GPU would not 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 parks. According to Education Code Section 17620, school districts may assess fees on new residential and commercial construction within their respective boundaries. The City would continue to collect development fees to pay for the costs of expanded park facilities. The GPU would not conflict with any park planning policies or hinder

efforts to maintain adequate recreational facilities and would not contribute to any adverse environmental effects that may be associated with future park construction projects.

The nearest park is Mission Springs Park, located at 14510 Palm Drive, approximately 2.85 miles north of the project site. The proposed project would not induce substantial population growth in the City of Desert Hot Springs because it would not include any residential units or permanent housing. Any proposed population increase associated with the number of proposed employees is consistent with the projections of the General Plan. Therefore, the impacts of the proposed project would not be more severe than those analyzed in the 2020 EIR. Additionally, the proposed project would pay the applicable fees to the district to develop and expand park facilities. The proposed project would not introduce new impacts or create more severe impacts related to parks than those previously analyzed in the 2020 EIR. No additional analysis is required.

- e) The 2020 EIR determined that the GPU would not 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 other public facilities. Impacts due to expansion or creation of library facilities will be considered and will be evaluated pursuant to CEQA. There are no federal, State, or local mandatory regulations that pertain to libraries and community facilities. The 2020 EIR concluded that impacts would be less than significant.

The Desert Hot Springs Public Library, located at 11691 West Drive, is approximately 3.85 miles north of the project site. The proposed warehouse and distribution facility would not induce substantial population growth in the City of Desert Hot Springs because it would not include any residential units or permanent housing; therefore, the impacts of the proposed project would not be more severe related to other public facilities, such as libraries, than those analyzed in the 2020 EIR. No additional analysis is required.

## Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

### MM PS-2      Project Review

All projects that are subject to CEQA review shall be evaluated to determine whether they can be provided adequate fire prevention and emergency medical services, including adequate response times. In the event that it is determined that adequate services cannot be provided, project-specific mitigation may be provided to offset identified service deficiencies.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to population and housing beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XVI. Recreation</b> <i>Would the project:</i>					
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?	Less than significant impact.	No	No	No	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?	Less than significant impact.	No	No	No	None

## Discussion

- a) The 2020 EIR concluded that population increases in the Planning Area over the long-term will result in additional use of existing City parks and recreation facilities, as well as parks and facilities owned by the Palm Springs Unified School District. However, requirements for new construction and maintenance of parks would be met by fees paid to the City of Desert Hot Springs. Therefore, impacts were determined to be less than significant.

The proposed project would not induce substantial population growth. Therefore, the proposed project would not substantially increase the use of existing parks and recreation facilities. Additionally, the proposed project would not introduce new parks and recreation impacts or create more severe park and recreation impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

- b) According to the 2020 EIR, the GPU would create the need for new or expanded recreational facilities because the projected population growth would result in an increase in service levels. Any environmental issues associated with the construction of potential new facilities would be subject to environmental review on a project-by-project basis pursuant to CEQA. In addition, the City has proposed policies and evaluated the feasibility of establishing active joint-use agreements with all private nonprofit organizations and schools that have recreation facilities, such as playfields and multi-purpose rooms. These joint-use agreements help the City reduce its parkland deficiency and improve recreation services in the City and Planning Area over the term of the GPU. Improvements on recreation services would be met by fees paid to the City of Desert Hot Springs. With incorporation of the policies, recreational facility construction and expansion would result in a less than significant impact.

The proposed project does not include recreational facilities and would not induce substantial population growth. Therefore, the proposed project would not substantially increase the use of existing parks and recreation facilities. Additionally, the proposed project would not introduce new parks and recreation impacts or create more severe park and recreation impacts than those previously analyzed in the 2020 EIR. No additional analysis is required.

### **Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project**

None required.

### **Conclusion**

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts related to recreation facilities beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XVII. Transportation</b> <i>Would the project:</i>					
a) Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than significant impact after mitigation.	No	No	No	MM TRANS-1
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Less than significant impact.	No	No	No	None
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact.	No	No	No	None
d) Result in inadequate emergency access?	Less than significant impact.	No	No	No	None

## Discussion

The analysis in this section is based on the Traffic Analysis (TA) prepared by Kimley-Horn & Associates. The report is provided in Appendix I.

- a) The 2020 EIR determined that 16 out of the 24 study intersections are forecasted to operate at unacceptable levels of significance for the GPU conditions without improvements:
- Intersection 1: SR-62 at Indian Canyon Drive during the PM peak-hours
  - Intersection 2: SR-62 at Pierson Boulevard during the AM and PM peak-hours
  - Intersection 5: Indian Canyon Drive at Pierson Boulevard during the AM and PM peak-hours
  - Intersection 6: Indian Canyon Drive at 14<sup>th</sup> Avenue during the AM and PM peak-hours
  - Intersection 7: Indian Canyon Drive at Dillon Road during the AM and PM peak-hours
  - Intersection 8: Indian Canyon Drive at 20<sup>th</sup> Ave during the AM and PM peak-hours
  - Intersection 10: Little Morongo Road at Pierson Boulevard during the AM and PM peak-hours



- Intersection 11: Little Morongo Road at 14<sup>th</sup> Avenue/Two Bunch Palms Trail during the AM and PM peak-hours
- Intersection 12: Little Morongo Road at Dillon Road during the AM and PM peak-hours
- Intersection 13: Little Morongo Road at 20<sup>th</sup> Ave during the PM peak-hours
- Intersection 18: Palm Drive at Dillon Road during the AM and PM peak-hours
- Intersection 19: Palm Drive at 20<sup>th</sup> Ave during the AM and PM peak-hours
- Intersection 20: Palm Drive at Varner Road during the AM and PM peak-hours
- Intersection 22: Mountain View Road at Dillon Road during the AM peak-hours
- Intersection 23: Mountain View Road at Varner Road during the AM and PM peak-hours
- Intersection 24: Long Canyon Road at Dillon Road during the PM peak-hours

Land configurations are recommended which would maintain the minimum acceptable Level of Service (LOS) for the GPU conditions. The 2020 EIR suggests improvements to the Indian Canyon Drive/20<sup>th</sup> Avenue and Little Morongo Road/20<sup>th</sup> Avenue intersections in order to lower their level of significance during PM peak-hours. While the 2020 EIR analysis shows that all roadway segments would operate at an acceptable LOS assuming expansion based on the roadway classification, given the uncertainty of timing regarding future roadway improvements, it is possible that some segments would experience unacceptable LOS prior to installation of the roadway expansion improvement. Additionally, there is also a possibility that not all identified roadway improvements would be ultimately constructed due to site specific physical constraints. Given the uncertainty of timing of installation of roadway improvements, and because there may be physical constraints to expanding roadways as certain locations within the Planning Area, this would be considered a significant and unavoidable impact to roadway segment operations.

According to the 2020 EIR, alternative transportation includes a variety of travel modes, including pedestrian, bicycle, equestrian, and transit use. The GPU analyzed in the 2020 EIR would not significantly conflict with any adopted plan, program, or policy related to alternative transportation, including public transit, bicycle, or pedestrian facilities. Consistent with City practice, as specific development projects are proposed, the City would analyze impacts to the transportation system. Therefore, impacts related to a program, plan, ordinance, or policy conflict addressing transit, bicycle and pedestrian facilities are less than significant.

The project-specific TA determined LOS deficiencies associated with the project. An LOS analysis was conducted to address the proposed project's access and circulation needs for vehicles, bicycles and pedestrians per guidelines outlined in the Transportation Analysis Guidelines for Level of Service and Vehicle Miles Traveled, County of Riverside.<sup>37</sup> To assess changes in traffic conditions associated with the project, the following 12 intersections were evaluated:

<sup>37</sup> County of Riverside (County). 2020. Transportation Analysis Guidelines for Level of Service Vehicle Miles Traveled. Website: <https://rctlma.org/Portals/7/2020-12-15%20-%20Transportation%20Analysis%20Guidelines.pdf>. Accessed August 2021.

1. North Indian Canyon Drive and Dillon Road
2. North Indian Canyon Drive and 18<sup>th</sup> Avenue
3. North Indian Canyon Drive and Coachillin Way
4. North Indian Canyon Drive and 19<sup>th</sup> Avenue
5. North Indian Canyon Drive and 20<sup>th</sup> Avenue
6. North Indian Canyon Drive and Garnet Avenue
7. North Indian Canyon Drive and San Rafael Drive
8. North Indian Canyon Drive and Racquet Club Drive
9. Calle De Los Romos and 19<sup>th</sup> Avenue
10. I-10 Westbound Ramps and 20<sup>th</sup> Avenue
11. Calle De Los Romos and 20<sup>th</sup> Avenue
12. I-10 Eastbound Ramps and Garnet Avenue

The TA determined that the proposed project would further degrade the LOS operations with the addition of project traffic under Project Completion (2023) Conditions and Cumulative Project (2023) Conditions at the following locations:

- Intersection No. 1–North Indian Canyon Drive and Dillon Road
- Intersection No. 4–North Indian Canyon Drive and 19<sup>th</sup> Avenue

The installation of traffic signals at both intersections would improve the operations to an acceptable LOS, as detailed under COA TRANS-1. The queuing analysis showed that the project would not cause queuing deficiencies within the project's study area with the addition of the project's traffic.

The 2020 EIR determined that the GPU would result in potentially significant impacts. MM TRANS-1 is proposed to reduce potentially significant impacts to less than significant. In addition, the GPU includes several policies aimed at funding and addressing transportation improvements.

According to the project-specific TA, the proposed project would result in 5,043 daily trips, 701 AM peak-hour trips, and 1,012 PM peak-hour trips. The proposed project anticipates 4,417 less average daily trips than the 9,460 average daily trips outlined in the 2020 EIR. Therefore, because the proposed project would not result in any impacts more significant than those already analyzed in the 2020 EIR, the analysis and impact conclusions in the 2020 EIR adequately address the proposed project and no further environmental analysis is necessary or required.

The proposed project would not introduce new impacts or create more severe impacts related to an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system than those previously analyzed in the 2020 EIR. No additional analysis is required.

- b) This question was not included in the 2020 EIR. Thus, no VMT estimates were provided within the 2020 EIR. Additionally, the City of Desert Hot Springs had not yet adopted thresholds for

VMT to determine impacts at the time the 2020 EIR was prepared. Therefore, it was determined that Section 15064.3(b) of the CEQA Guidelines was not applicable to the GPU.

Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Per Section 15064.3, analysis of VMT attributable to a project is the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in Section 15064.3(b)(2) regarding roadway capacity, a project's effect on automobile delay does not constitute a significant environmental impact under CEQA.

The City did not have adopted VMT thresholds at the time the 2020 EIR was certified, nor does it currently have adopted VMT thresholds. Under Section 21166 of the Public Resources Code and Sections 15162 and 15164 of the State CEQA Guidelines, this issue is not required to be analyzed unless it constitutes new information of substantial importance that was not known and could not have been known at the time the 2020 EIR was certified as complete (PRC § 21166 and CEQA Guidelines §§ 15162 and 15163). No VMT analysis needs to be prepared because the 2020 EIR was certified before VMT analyses were required to be prepared. *A Local & Regional Monitor v City of Los Angeles* (1993) 12 Cal.App. 4th 1773, 1801. Also, because at the time the 2020 EIR was certified, VMT impacts were known or should have been known, adoption of the requirement to analyze VMT does not constitute significant new information, requiring preparation of a subsequent or supplemental EIR. *Concerned Dublin Citizens v City of Dublin* (2013) 214 Cal.App.4th 1301, 1320. Traffic impacts were analyzed using other relevant methods at the time of certification of the 2020 EIR. Under CEQA standards, it is not considered new information that requires analysis in a supplemental EIR or Negative Declaration. Therefore, no additional environmental analysis is warranted under CEQA. Although not required to be analyzed under CEQA, for informational purposes only, the project VMT impacts are analyzed. As part of the project-specific TA, Kimley-Horn prepared a CEQA VMT Analysis for the proposed project (Appendix I). A quantitative VMT analysis was prepared for the proposed project utilizing the Riverside County Traffic Analysis (RivTAM) model to evaluate potential impacts associated with the proposed project. The County adopted countywide average VMT as threshold for low VMT screening. Projects generating VMT below County average can be screened out. Based on the County VMT tool, the project area VMT per employee would remain below the County's threshold.<sup>38</sup> Therefore, the proposed project would not have a significant impact on VMT and no mitigation measures are required. No additional analysis is required.

- c) According to the 2020 EIR, implementation of the GPU would result in additional development within the City; no specific development projects were included in the GPU or have been evaluated within the 2020 EIR. As is standard practice, the City would review all potential development proposals to evaluate hazards related to design features or incompatible uses. The feasible transportation mitigations described in this section can be implemented through

<sup>38</sup> As shown in Table 3, Project VMT Impact Evaluation, of the VMT Analysis, the Existing Riverside County Average VMT per Employee (VMT Threshold) is 14.24. Existing Plus Project Area VMT per Employee was determined to be 13.70, and Cumulative Plus Project Area was determined to be 13.57.

professional traffic engineering and design, with no substantial increase in hazards due to geometric design features. The 2020 EIR concluded that impacts would be less than significant.

The proposed project does not include changes that could potentially introduce new hazards associated with design features or incompatible uses. Consistent with the 2020 EIR, project development would comply with all regulations related to site design, and the proposed project would not alter the mobility enhancements proposed in the 2020 EIR. To facilitate site access, the proposed project would extend 19<sup>th</sup> Avenue and 20<sup>th</sup> Avenue to the east limits of the site. The proposed project would construct a new public roadway, Calle De Los Romos, adjacent to the project site to the west. This new roadway would connect 19<sup>th</sup> Avenue and 20<sup>th</sup> Avenue and would align with the future Calle De Los Romos roadway to the north. The proposed project would not introduce impacts or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- d) The 2020 EIR determined that existing road access throughout the City would be maintained following development associated with the GPU. All individual projects associated with implementation of the GPU would be subject to review and approval by the City as well as the RCFD, including for emergency access and construction activities within road right-of-way related to improvement or maintenance for roadways, utilities, and other infrastructure. The 2020 EIR concluded that impacts would be less than significant.

Consistent with the 2020 EIR, development of the proposed project would comply with all fire codes and regulations related to emergency access. The proposed project would not result in potential impacts that would be more severe than were already analyzed in the 2020 EIR. No additional analysis is required.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

- MM TRANS-1** In order to ensure proper timing for the installation of the identified intersection improvements and roadway widening, project proponents, in consultation with the City Public Works Department, shall be required to prepare a traffic impact analysis for their proposed project when it is determined by the Public Works Department that the project could potentially impact intersection or segment operations, and additional analysis is warranted. If a project would directly cause an intersection or roadway segment to degrade to an unacceptable Level of Service (LOS E or F), the project proponent shall be responsible for providing improvements (described below or otherwise identified by the City) necessary to maintain an acceptable LOS; improvements provided by a project proponent may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the City. If a project impacts an intersection or roadway segment, but would not cause an unacceptable LOS at an intersection, project proponents shall be required to pay a proportionate fair share amount toward the future improvement of the intersection or roadway segment. Specific intersection improvements are listed below.

***Intersection 8: Indian Canyon Drive at 20<sup>th</sup> Avenue***

Implement the following intersection improvements:

- Northbound: One left turn lane, two through lanes, and one right turn lane
- Southbound: One left turn lane, two through lanes, and one shared through/right turn lane
- Eastbound: One left turn lane, one through lane, and one right turn lane
- Westbound: Two left turn lanes, one shared through/right turn lane, and one right turn lane

***Intersection 13: Little Morongo Road at 20<sup>th</sup> Avenue***

Implement the following intersection improvements:

- Construct new intersection with all way stop control
- Northbound: One left turn lane and one shared through/right turn lane
- Southbound: One shared left/through/right turn lane
- Eastbound: One shared left/through/right turn lane Transportation and Traffic
- Westbound: One shared left/through/right turn lane

## Conditions of Approval

**COA TRANS-1** The project shall construct the following improvements as detailed in the project specific TA.

***North Indian Canyon Drive and 19<sup>th</sup> Avenue***

To improve Level of Service (LOS) to acceptable operations at North Indian Canyon Drive/19<sup>th</sup> Avenue, the following improvements shall be constructed by the proposed project:

- Signalize the intersection.
- Restripe the southbound approach to provide a left-turn pocket (150-foot minimum).
- Stripe the east leg to provide a separate left-turn.

***North Indian Canyon Drive and Dillon Road***

To improve LOS to acceptable operations at North Indian Canyon Drive/Dillon Road, the intersection shall be signalized. Improvements shall be consistent with the City of Desert Hot Springs General Plan through installation of a traffic signal and widening of all approaches in order to provide the following:

- Northbound/Southbound–One left-turn, two through lanes and one right-turn lane.
- Eastbound–One left-turn, one through lane and one right-turn lane.
- Westbound–Two left-turns, one through lane and one right-turn lane.

The traffic signal shall be implemented at the same time as the improvements outlined in the Desert Hot Springs General Plan.

The proposed project shall contribute a fair share of eight percent of the cost of intersection improvements, up to a maximum of \$300,000.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to transportation beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XVIII. Utilities and Service Systems</b> <i>Would the project:</i>					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than significant impact with mitigation incorporated.	No	No	No	MM UTL-1
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less than significant impact with mitigation incorporated.	No	No	No	MM UTL-1
c) 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?	Less than significant impact.	No	No	No	None
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than significant impact.	No	No	No	None
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	Less than significant impact.	No	No	No	None

## Discussion

### a-b) **Water**

According to the 2020 EIR, implementation of the GPU would likely result in both new and expanded water supply and distribution facilities. However, projected water supply demand to 2040 is approximately 3,800 acre-feet above anticipated supply. It is possible that demand will be less due to increased conservation. Regardless, current projections suggest a water supply deficiency toward the end of the 2040 planning horizon.

The increase in water demand within the Planning Area is substantial. Future projections do account for the availability of recycled water. In addition to the CVWD supply, the Planning Area will continue to have access to imported water (via the Colorado River) due to water exchanges with the MSWD.

Regardless, the anticipated growth under the GPU is substantial and will require additional water resources and the incorporation of widespread conservation efforts. Furthermore, the water use projection is greater than the supply shown in the MSWD UWMP for 2015. MM UTL-1 does not allow approval of new development associated with the implementation of the GPU if they increase water use in excess of what is identified for supply in 2040 under the most recent UWMP. With implementation of MM UTL-1, in addition to the applicable GPU policies and existing applicable policies and regulations, this potential impact would be considered less than significant.

The project site is currently zoned for industrial and commercial uses and is currently undeveloped and surrounded primarily by undeveloped land. The project includes construction of a warehouse and distribution center, which would result in an increased water demand. However, it is likely that the proposed project would require the preparation of a Water Supply Assessment (WSA) in order to adequately determine available water supplies for current and future uses. Additionally, the project would be required to comply with all of the City's policies regarding water conservation; and, as stated previously, MM UTL-1 would be implemented to ensure that developments under the GPU would not be approved if they increase water use in excess of what is identified for supply in 2040 under the most recent UWMP. With incorporation of mitigation and adherence to existing City policies, the proposed project would not result in any new or more severe impacts than those previously disclosed in the 2020 EIR.

### **Wastewater**

According to the 2020 EIR, the GPU would result in new and expanded wastewater treatment facilities. Currently, there are a substantial number of households not connected to the municipal sewer system. MSWD is in the process of transitioning these households to the sewer system while also planning to expand wastewater treatment facilities. If all of the Planning Area transitioned to sewer systems at this time, the amount of wastewater treatment capacity necessary for the area would be 11.54 million gallons per day (mgd). This amount is in excess of the current capacity but within the overall projected build out of the proposed West Valley Water Treatment Plant (20 mgd).



Future development within the Planning Area would require expanded wastewater facilities to meet the demand from anticipated population growth. The 2020 EIR determined that the impact of the GPU on wastewater services is less than significant.

The proposed project would include the implementation of a septic system on-site and therefore would not connect utilize any wastewater treatment within the City. Therefore, the proposed project would not result in any new or more severe impacts than those previously disclosed in the 2020 EIR.

### ***Stormwater***

The 2020 EIR determined that development within the Planning Area would result in an increase in impermeable surfaces leading to the potential for increased stormwater runoff, but the City's Municipal Code requires stormwater to be managed on-site through increasing and directing runoff to permeable areas and requiring the developer to consider drainage and flooding concerns. Additionally, the City is a co-permittee on the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4) Permit which requires BMPs to minimize the impact of new developments and re-developments in the Planning Area. Overall, the impact on stormwater due to development under the GPU is less than significant due to existing regulations and permits and implementation of proposed GPU policies.

As previously discussed, the project site is currently undeveloped. There is no existing stormwater infrastructure identified on the site. Off-site drainage from the adjacent property to the north sheet flows into the project site. Stormwater from the site sheet flows into 20<sup>th</sup> Avenue and ultimately discharges into the Mission Creek Levee, approximately 0.25-mile east of the site.<sup>39</sup> Development of the proposed project's warehouse and distribution facility would result in increased impermeable surfaces. However, the proposed project would be required to comply with the City's existing policies as well as the City's MS4 permit to minimize stormwater impacts. Additionally, funding for stormwater management would be required, which is based on Benefit Assessment Units (BAU); a 1/6-acre lot is the equivalent to one BAU. One BAU requires an annual payment of \$3.63. With adherence to existing policies, the MS4 permit, and payment of funds, the proposed project would not result in any new or more severe impacts than those previously disclosed in the 2020 EIR.

### ***Electric Power, Natural Gas, and Telecommunications***

According to the 2020 EIR, there are no plans to relocate or expand electric power, natural gas, and telecommunication facilities. However, implementation of the General Plan Update analyzed in the 2020 EIR would lead to demand driven expansion of facilities and, subsequently, development analyzed in the 2020 EIR would be subject to environmental review at the time of proposal. These facilities are provided by private organizations and the infrastructure would be covered by service fees. Impacts would be less than significant.

The proposed project would connect to existing power lines, natural gas lines, and telecommunications lines near the site. the proposed project would not require the expansion

<sup>39</sup> Langan Engineering and Environmental Services, Inc. 2021. Draft Hydrology Report. 3.1 Existing Hydrology – On-site.

of any of these utilities. Therefore, impacts would be less than significant. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

- c) According to the 2020 EIR, the development of the West Valley Water Reclamation Facility will help to increase the capacity at the Horton Wastewater Treatment Plant (Horton WWTP) by diverting a portion of the existing served areas to the proposed West Valley Water Reclamation Facility (WVWRF). The new WVWRF facilities would be developed to accommodate future expansions and upgrades to produce effluent to meet recycled water standards, when proposed by MSWD. Doing so would maximize future water resources within the MSWD service area by providing a source of water that can be directly used to offset potable water demand for landscape irrigation within the District's service area.

The City would continue to coordinate and encourage efforts for production and use of recycled water to increase water supply and conservation. The City has proposed policies (Policy MI-14 Wastewater and MI-15 Wastewater Service Consultation) to require developers to consult with providers regarding adequate supply and pay their share of costs for localized wastewater infrastructure upgrades to ensure that service levels are met.

As mentioned previously, the proposed project would include a septic system on-site and would not require or connect to wastewater treatment within the City. Therefore, the proposed project would not result in any new or more severe impacts than those previously disclosed in the 2020 EIR no substantial changes from the previous analysis would be required.

- d) The 2020 EIR determined that the Planning Area is expected to accommodate more residential, commercial, mixed use, industrial, public uses, and open space/recreation land uses. In 2040, the Planning Area is projected to have a population of 136,402. The net new amount of waste generated annually within the City in 2040 (88,476 residents X 4.2 lbs. per person per day) would be approximately 371,600 pounds per day (or approximately 68,000 tons per year.) The population is anticipated to be 47,926 in the SOI resulting in the following waste generation rate: (47,926 X 5.6 lbs. per day = 268,386 lbs. per day or approximately 49,000 tons per year). Combined, the Planning Area is anticipated to generate 117,000 tons per year of solid waste.

This is likely the worse-case scenario as per capita waste generation rates are expected to decline with the implementation of various solid waste management practices. The City of Desert Hot Springs will continue to implement a variety of solid waste reduction, recycling, and reuse measures, in accordance with its obligation under AB 939 and in cooperation with waste management programs administered by Riverside County. Implementation of these policies and programs will further reduce the amount of waste produced by the City and SOI and reduce the impact to less than significant.

Using a standard industrial solid waste generation rate of 8.93 lb./employee/day, the proposed project would generate 16,735 pounds per day (or approximately 3,054 tons per year). This would represent a net reduction of 113,946 tons per year relative to what the 2020 EIR estimated for the Planning Area. As such, the proposed project would not introduce new

environmental impacts or create more severe environmental impacts than those analyzed in the 2020 EIR.

- e) Any future project completed under the General Plan update analyzed in the 2020 EIR would be required to comply with all applicable federal, State, and local statutes and regulations related to solid waste management and reduction.

The proposed project would comply with all applicable federal, State, and local management and reduction statutes and regulations related to solid waste. Therefore, the proposed project would not introduce new impacts or create more severe impacts related compliance with federal, State, and local statutes and regulations than those previously analyzed in the 2020 EIR. No additional analysis is required.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

Implement MM UTIL-1.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to utilities and service systems resources beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XIX. Wildfire</b> <i>If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the project:</i>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than significant impact.	No	No	No	None
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less than significant impact.	No	No	No	None
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Less than significant impact.	No	No	No	None
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less than significant impact.	No	No	No	None

## Discussion

- a) According to the 2020 EIR, SRAs and Very High Fire Severity Zones (VHFSZ) are present in the northern and western portions of the Planning Area. However, the proposed project site is not located in a Fire Hazards Severity Zone or a VHFHSZ as mapped by CAL FIRE,<sup>40</sup> and the site is not located in an SRA. The closest VHFHSZ is approximately 5.6 miles north of the project site.

<sup>40</sup> California Department of Forestry and Fire Protection (CAL FIRE). Fire Hazard Severity Zone Maps. Desert Hot Springs; Very High Fire Hazard Severity Zones in LRA. Website: Map of CAL FIRE's Fire Hazard Severity Zones in Local Responsibility Areas – Desert Hot Springs. Accessed, August 5, 2021.

As such there would be no impacts from the proposed project. Additionally, according to the 2020 EIR, the City has adopted a policy to maintain and update the City's EOP to stay current with staffing and technical capabilities of the City and cooperating agencies. Implementation of the GPU would require the City to comply with policies within the Safety and Noise Element relating to the goal of providing a high level of fire protection services for the community, and adequately addressing wildfires. Impacts were determined to be less than significant.

The proposed project is not in an area identified in the 2020 EIR as a VHFHSZ. The proposed project does not include changes that could potentially interfere with emergency response, access, or evacuation. Consistent with the 2020 EIR, any development in the City would have to comply with all fire codes and policies related to emergency access. Therefore, the proposed project would not introduce impacts or create more severe impacts than those analyzed in the 2020 EIR. No additional analysis is required.

- b) According to the 2020 EIR, steep slopes (>10 percent) and VHFHSZ are present in the northern and western portions of the Planning Area, as shown on 2020 EIR Exhibit 4.20.1, Wildfire Map. The City has adopted policies to safeguard against wildfires in these areas. Compliance with General Plan policies and City guidelines will reduce these impacts to a level of less than significant.

The project site is flat with slopes ranging from 0-9 percent. As shown on 2020 EIR Exhibit 4.20.1, the proposed project is not located in an area with >10 percent slopes. The project site is not located in a Fire Hazards Severity Zone or a VHFHSZ as mapped by CAL FIRE,<sup>41</sup> and the site is not located in an SRA. The closest VHFHSZ is approximately 5.6 miles north of the project site. The nearest air monitoring station that measures meteorological data is the Palm Springs–Fire Station, approximately 3.5 miles south of the project site. The station recorded that the maximum wind speed is 15.9 mph.<sup>42</sup> While winds can reach speeds that could spread wildfires, the project site and surrounding area do not embody conditions that would exacerbate a wildfire. The project site is zoned for industrial uses and would not create a need for additional infrastructure to protect against wildfires. Therefore, impacts would be less than significant.

- c) According to the 2020 EIR, SRAs and VHFHSZ are present in the northern and western portions of the Planning Area. Within these areas, implementation of the GPU may include the extension/installation, utilities, roads and other infrastructure facilities, fire breaks around new buildings and maintenance of existing roads in accordance with City Policies (SN-1.23 Fire Risk Pre-Plans and SN-1.24 Roadside Fuel Reduction Plan). Compliance with the GPU policies and City guidelines will reduce impacts to less than significant.
- d) According to the 2020 EIR, SRAs and VHFHSZ are present in the northern and western portions of the Planning Area. The City has adopted policies and included a policy in the GPU to expand

<sup>41</sup> California Department of Forestry and Fire Protection (CAL FIRE). Fire Hazard Severity Zone Maps. Desert Hot Springs; Very High Fire Hazard Severity Zones in LRA. Website: Map of CAL FIRE's Fire Hazard Severity Zones in Local Responsibility Areas – Desert Hot Springs. Accessed, August 5, 2021.

<sup>42</sup> California Air Resources Board (ARB). 2021. Palm Springs–Fire Station. Website: [https://www.arb.ca.gov/aqmis2/display.php?report=SITE31D&site=2199&year=2021&mon=11&day=04&hours=all&statistic=HVAL&ptype=met&param=WINSPEED\\_mph](https://www.arb.ca.gov/aqmis2/display.php?report=SITE31D&site=2199&year=2021&mon=11&day=04&hours=all&statistic=HVAL&ptype=met&param=WINSPEED_mph). Accessed November 4, 2021.

the Desert Hot Springs MDP to address drainage and flooding concerns related to development within the Mission Creek and Morongo Wash drainage areas (SN-7.4 Master Drainage Plan). Implementation of the GPU may result in significant risk as a result of runoff or post-fire slope instability. Compliance with GPU policies and City guidelines would reduce these impacts to a level of less than significant.

As mentioned above, the project site is flat with slopes ranging from 0-9 percent. However, the project site is located in an area of liquefaction along with the majority of the City.<sup>43</sup> Consequently, although the site soils may be the type of soils that would be susceptible to liquefaction, the deep groundwater at the site makes it so that liquefaction and liquefaction-related seismic hazards are not design considerations for the project. The proposed project would not result in potential impacts that would be more severe than were already analyzed in the 2020 EIR. Therefore, the site is not at risk to landslides due to runoff, post-fire slope instability, or drainage changes. Impacts would be less than significant.

### Relevant 2020 EIR Mitigation Measures that Apply to the Proposed Project

None required.

### Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant impacts to wildfire beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum. Impacts that were not evaluated in the 2020 EIR would be less than significant.

<sup>43</sup> City of Desert Hot Springs. General Plan 2020. Safety and Noise Element. Figure SN-3: Seismic Hazards.

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XX. Mandatory Findings of Significance</b>					
a) Does the project have the potential to substantially 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	Less than significant impact with mitigation incorporated.	No	No	No	MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Less than significant with mitigation incorporated.	No	No	No	MM AQ-2A, MM AQ-2B, MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM GEO-1, MM GHG-1A, MM GHG-1B, MM GHG-1C, MM GHG-1D, MM GHG-1E, MM UTIL-1, MM PS-2, MM TRANS-1

Environmental Issue Area	Conclusion in Desert Hot Springs General Plan EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	Less than significant with mitigation incorporated.	No	No	No	MM AQ-2A, MM AQ-2B, MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM GEO-1, MM GHG-1A, MM GHG-1B, MM GHG-1C, MM GHG-1D, MM GHG-1E, MM UTIL-1, MM PS-2, MM TRANS-1

## Discussion

- a) As described in Section V, Biological Resources, the proposed project would not have significant impacts beyond what was analyzed in the 2020 EIR. The proposed project would implement MM BIO-1, MM BIO-2, MM BIO-3, and MM BIO-4, which would reduce impacts to special-status species and habitat. The proposed project would have no significant impacts related to the potential for the degradation of the quality of the environment, a substantial reduction in the habitat of a fish or wildlife species, the drop of a fish or wildlife population below self-sustaining levels, a substantial reduction in the number or restriction on the range of a rare or endangered plant or animal, or the elimination of important examples of the major periods of California history or prehistory.
- b) The proposed project's impacts would be individually limited and not cumulatively considerable. Based on the analysis provided in Section III, Air Quality; Section XIII, Noise, and Section XVII, Transportation, the proposed project would not substantially increase cumulative impacts related to these analysis areas. Additionally, as presented throughout this Addendum, the proposed project's cumulative impacts would be consistent with 2020 EIR.
- c) The proposed project has not been found to generate new or substantially more severe environmental effects than those previously analyzed in the 2020 EIR; therefore, there is no likelihood of the proposed project causing substantial adverse effects on human beings, either directly or indirectly, beyond that which was previously analyzed in the 2020 EIR. Impacts would be consistent with what was analyzed in the 2020 EIR.



## Relevant EIR Mitigation Measures that Apply to the Proposed Project

MM AQ-2A, MM AQ-2B, MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM GEO-1, MM GHG-1A, MM GHG-1B, MM GHG-1C, MM GHG-1D, MM GHG-1E, MM UTIL-1, MM PS-2, MM TRANS-1

## Conditions of Approval

COA AIR-2a, COA AIR-2b, COA AIR-2c, COA AIR-2d, COA BIO-1a, COA BIO-1b, COA BIO-1c, COA BIO-1d, COA BIO-1e, COA BIO-1f, COA BIO-1g, COA BIO-2a, COA BIO-2b, COA BIO-3a, COA BIO-3b, COA BIO-3c, COA BIO-3d, COA BIO-4, COA CUL-1, COA GEO-1, COA GHG-1a, COA GHG-1b, and COA TRANS-1.

## Conclusion

The proposed project would be consistent with the 2020 EIR and would not create new or more significant cumulative impacts beyond what was analyzed in the 2020 EIR. The conclusions from the 2020 EIR remain unchanged when considering the adoption of the Addendum. Impacts that were not evaluated in the 2020 EIR would be less than significant.

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