



## Cathedral City

### CITY OF CATHEDRAL CITY NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Cathedral City, as Lead Agency, has completed an Initial Study for Conditional Use Permit No. 17-005 and Tentative Parcel Map No. 37273 for a medical cannabis cultivation facility. The proposed project consists of the subdivision of one property into two lots and the construction of two buildings. A single story, 14,606 square-foot building will be constructed on Parcel 1, which will be approximately 1.12 acres in size. A two-story, 28,838 square-foot building will be constructed on Parcel 2, which will 1.69 acres in size. The project site is located at the terminus of Margot Murphy Way, a private street situated between Perez Road and Canyon Plaza (APN 687-510-048).

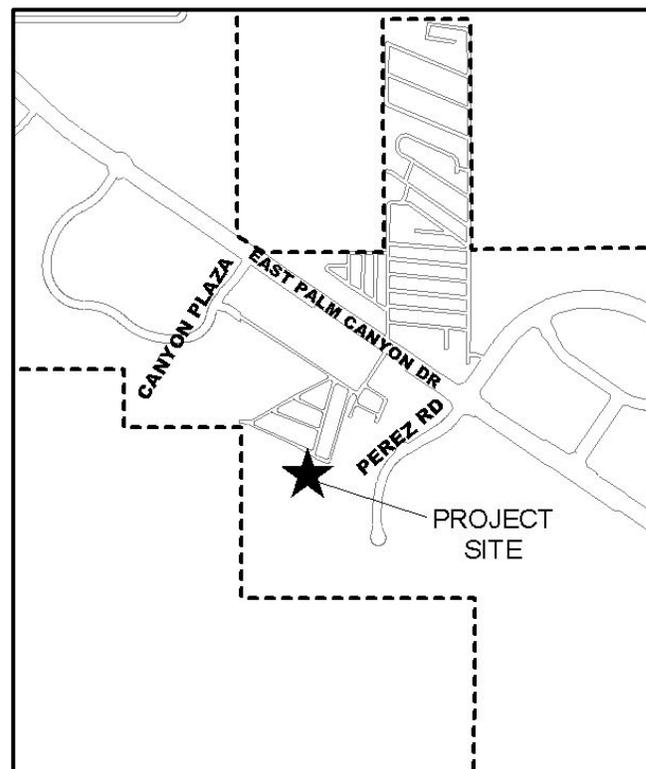
This Initial Study was completed in accordance with the California Environmental Quality Act (CEQA). This Initial Study was undertaken for the purpose of deciding whether the project may have a significant effect on the environment. On the basis of such Initial Study, City Staff has determined that the project will have a significant effect on the environment, but with the implementation of mitigation measures, impacts will be reduced to less than significant levels, and has, therefore, prepared a Draft Mitigated Negative Declaration. The Initial Study reflects the independent judgment of the City. The site is not known to be on the Hazardous Waste list compiled pursuant to Government Code Section 65962.5.

Copies of the application materials, Initial Study and Draft Mitigated Negative Declaration are on file and available for public review with the Planning Department, City Hall, 68700 Avenida Lalo Guerrero, Cathedral City, CA 92234. City Hall is open Monday-Thursday (7am-6pm). A copy of the Initial Study and Draft Mitigated Negative Declaration is also available at the Cathedral City Library located at 33520 Date Palm Drive, Cathedral City 92234. A digital copy of the IS/MND is available for public review on the City's website ([www.cathedralcity.gov](http://www.cathedralcity.gov)).

The public review period for this Initial Study and Draft Mitigated Negative Declaration will be from July 3, 2017 to July 24, 2017. Any person wishing to comment on this matter must submit such comments in writing during the review period. Comments of all Responsible Agencies are also requested. Please submit responses to:

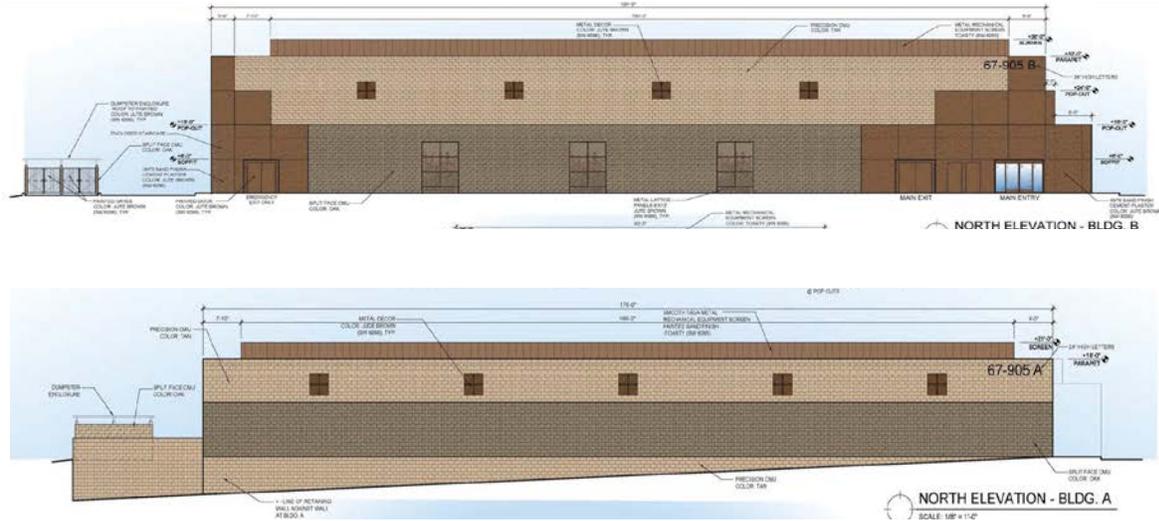
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The Planning Commission will consider the project and the Draft Mitigated Negative Declaration at a public hearing. This matter has been tentatively scheduled for the August 2, 2017 Planning Commission meeting. If the Planning Commission finds that the project will not have a significant effect on the environment, it will adopt the Mitigated Negative Declaration.



# Ecoplex Park

Conditional Use Permit 17-005 and TPM 37273  
APNs 687-510-048



## Draft Initial Study and Mitigated Negative Declaration

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- B – Habitat Assessment
- C – Cultural Resources Assessment
- D – Geotechnical Investigation
- E – Phase I Environmental Site Assessment
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## **CHAPTER 1 – INTRODUCTION AND PURPOSE**

### **1.1 Purpose and Scope**

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code sec. 21000 et seq.) and the CEQA Guidelines (California Code of Regulations Title 14, sec. 15000 et seq.), this Initial Study has been prepared to evaluate potential environmental impacts from a proposed project involving Conditional Use Permit (CUP) 17-005 for development of two warehouse buildings and Tentative Parcel Map (TPM) 37273 for the subdivision of a vacant 2.8-acre site within the City of Cathedral City, California.

Pursuant to Section 15367 of CEQA Guidelines, the City of Cathedral City is the Lead Agency for the project. A lead agency is the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment. The City of Cathedral City, as lead agency, has the authority for project approval and certification of the environmental documents.

### **1.2 Project Description**

The proposed project involves the development of a medical cannabis cultivation facility on a 2.8-acre site. The project includes the subdivision of the property into two parcels and construction of two warehouse-style buildings that will house a medical cannabis cultivation operation. A single-story, 14,606-square-foot building will be constructed on Parcel I, which will be approximately 1.12 acres in size. A two-story, 28,838-square-foot building will be constructed on Parcel II, which will be 1.69 acres in size.

Water retention basins will be provided throughout the site to accommodate storm water flows. The site will also be improved with a shared parking lot with 42 spaces, two paved loading zones, and landscaping. The primary access to both parcels will be from a shared driveway that takes access from Margot Murphy Way. The project will include right-of-way improvements that will include construction of sidewalk and curb and gutter along Margot Murphy Way. Other infrastructure will include sewer and gas connections, and water improvements. Telephone and telecommunications services will also be required for the project. The project will also involve construction of retention walls to provide a level surface for the project.

A large portion of the buildings will be used as growing rooms. Office space, propagation rooms, employee lounge, security room, and plant treatment areas will take up the remaining portion. Cultivation operations will involve the continuous reuse of water that will be purified using a reverse osmosis process. Carbon Dioxide (CO<sub>2</sub>) in canisters will be brought to the site and used to enhance plant grow. Water that can no longer be reused due to the accumulation of sludge will be drained into the public sewer system.

The project site is located within the PCC (Planned Community Commercial) zoning district and Specific Plan SP 89-39, and is designated CG (General Commercial) on the General Plan land use map.

### **1.3 Discretionary Actions**

The project requires approval of a Conditional Use Permit CUP 17-005, Design Review, and Tentative Parcel Map TPM 37273.

### **1.4 Project Location and Environmental Setting**

#### Region

The project site is located in the City of Cathedral City, one of nine cities located within the Coachella Valley. The Coachella Valley is an area of central Riverside County characterized by a low-desert environment surrounded by steeply rising mountains on the south, southwest and north. Interstate 10, a major corridor connecting the Los Angeles area with Phoenix, Arizona, runs along the center of the valley floor. The San Andreas fault is located approximately 2.5 miles north of the I-10 where it intersects with the northern boundary of the City.

#### Project Site

The project site is located at the end of Margot Murphy Way, a private street on the south side of East Palm Canyon Drive between Canyon Plaza and Perez Road. The site is within the boundaries Agua Caliente Band of Cahuilla Indians (ACBCI) Reservation and will be subject to the ACBCI Tribal Habitat Conservation Plan.

The majority of the site is relatively flat; however, the southerly tip of the property the land rises steeply towards the San Jacinto Mountains. (See Figure 1-4: Tentative Parcel Map No. 37273 and Figure 1-2: 2015 Aerial of Project Site and Surrounding Area.) The project site is vacant and undeveloped. It is highly disturbed as a result of recent grading activities and is covered with approximately 10 feet of infill soil. The triangular portion of the site adjacent to the base of the mountains has rocky outcroppings and a steeper slope. The majority of the site has a moderate west to east slope that ranges from 350' about sea level to 325 at the eastern edge of the property. The southerly approximately one-third of the site more steeply sloped. Elevation in this area changes from 345 feet to 435 above sea level. A buried pipeline used for runoff from the Eagle Canyon Dam crosses the site in an east to west direction separating the rear one-third from the remainder of the property. With the exception of a few palm trees, there is little vegetation remaining on the property.

#### Surrounding Area

The project site is located at the base of the San Jacinto Mountains that rise abruptly from the desert floor along the southern edge of the City. Like the project site, the area adjacent to the west and northwest is undeveloped and moderately sloped across the majority of the site. The areas to the east and southeast of the project site is developed with auto repair shops that front on Perez Road. The area directly north of the project site is small vacant parcel that is proposed to be incorporated into the Volkswagen auto dealership property on the north.

The Eagle Canyon Dam is located approximately 500 feet southwest of the project site.

### **1.5 Summary of Impacts and Mitigation**

Project impacts are discussed in Chapter 3: Environmental Analysis. The project would not have any impacts in the following areas:

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Greenhouse Gases
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

The project must comply with current federal, State, and local regulations and laws that are independent of CEQA review. These regulations serve to offset or prevent certain environmental impacts. Referred to as regulatory requirements (RRs) in the environmental analysis, RRs would effectively reduce the project’s potential adverse impacts to less than significant levels. In addition, the City of Cathedral City imposed standard conditions of project approval that will reduce environmental impacts independent of CEQA review. Because the RRs and standard conditions of approval would be incorporated into the project either in the design or as part of project implementation, they do not constitute mitigation in accordance with CEQA.

The project will result in a less than significant impact with the implementation of mitigation in the following areas:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Traffic and Transportation
- Tribal Cultural Resources

### **1.6 Determination**

Pursuant to the CEQA Guidelines, the City may adopt a MND for the proposed project since potentially significant environmental impacts from the project would be less than significant with implementation of mitigation, compliance with regulatory requirements and standard conditions of approval. On the basis of the Initial Study, it has been determined that the project will not have a significant impact on the environment with the implementation of mitigation measures. A Mitigated Negative Declaration is proposed for adoption.

Figure 1-1: Regional Location Map

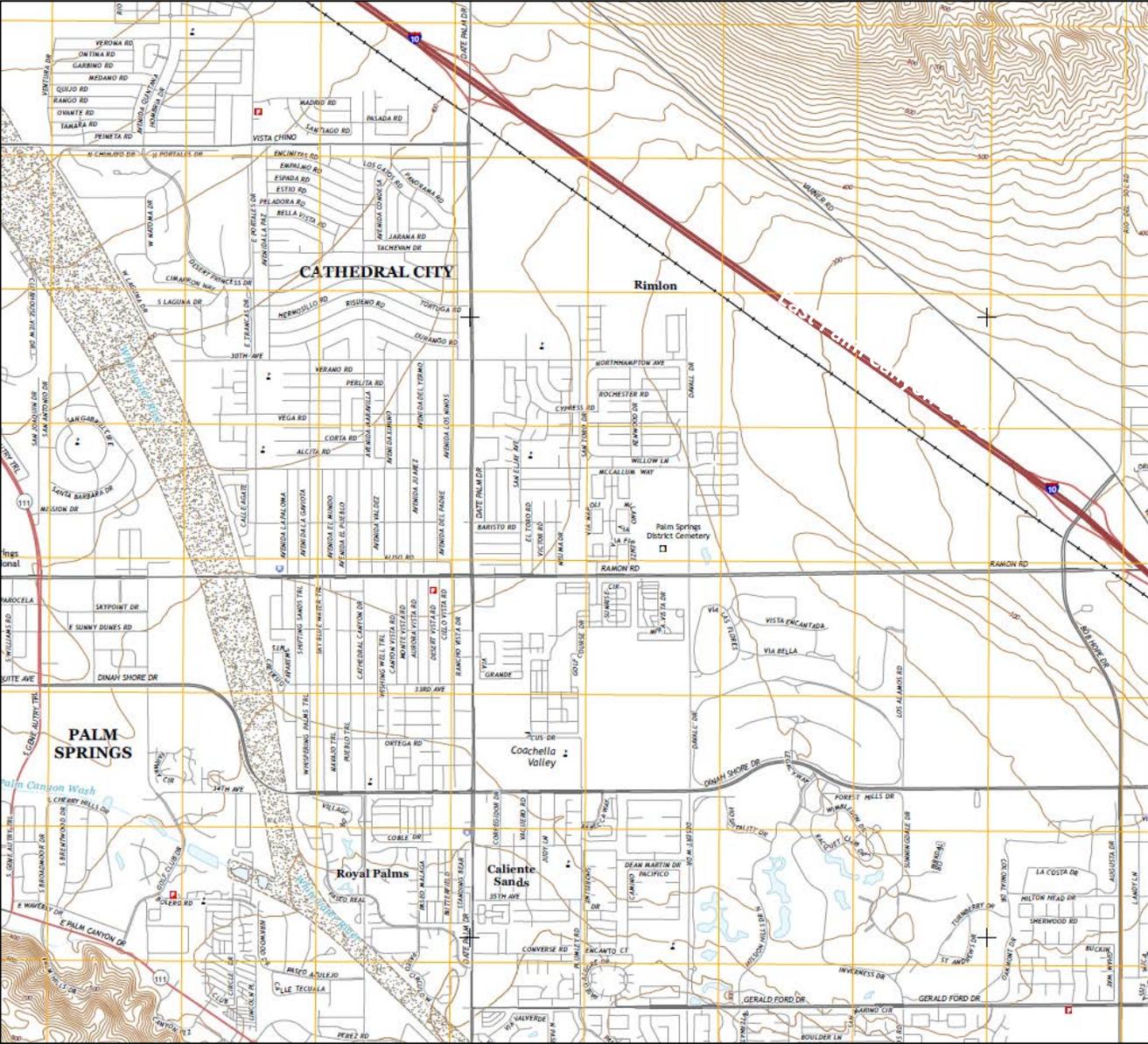


Figure 1-2: 2015 Aerial of Project Site and Surrounding Area



**Figure 1-3: Photographs of Project Site and Surrounding Area**



Photo 1: View of site from Margot Murphy Way



Photo 2: View of site from Margot Murphy Way



Photo 3: View of southeast corner site from Margot Murphy Way



Photo 4: View of southwest portion of site



Photo 5: View of southeast portion of site



Photo 6: View of property adjacent to west of project site



Photo 7: View from Margot Murphy Way cul-de-sac of Eagle Canyon Dam southwest of project site



Photo 8: View of site from East Palm Canyon Drive and Margot Murphy Way



Photo 9: Views towards northwest from project site



Photo 10: Views of auto dealership to north of project site



Figure 1-5: Project Site Plan

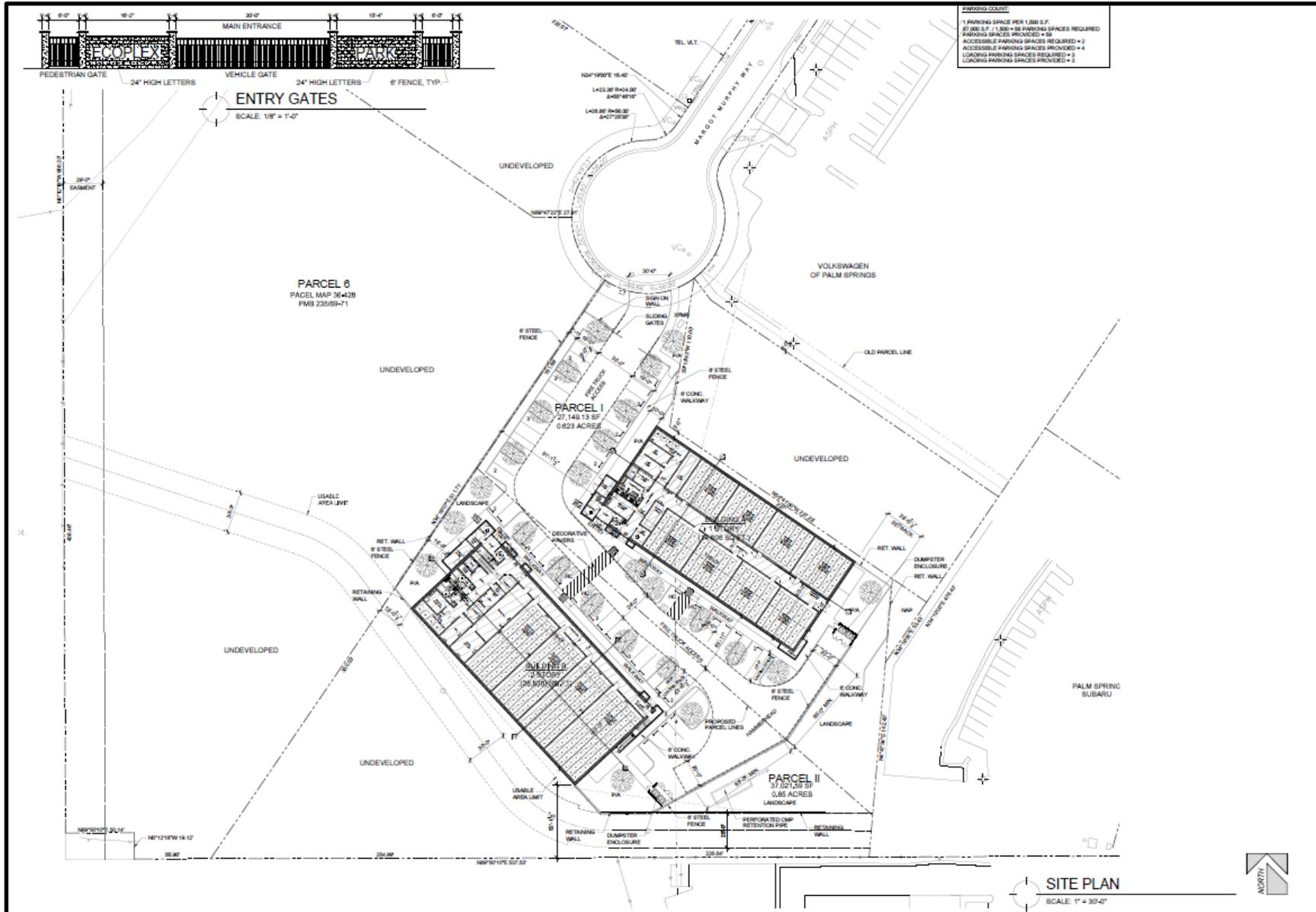
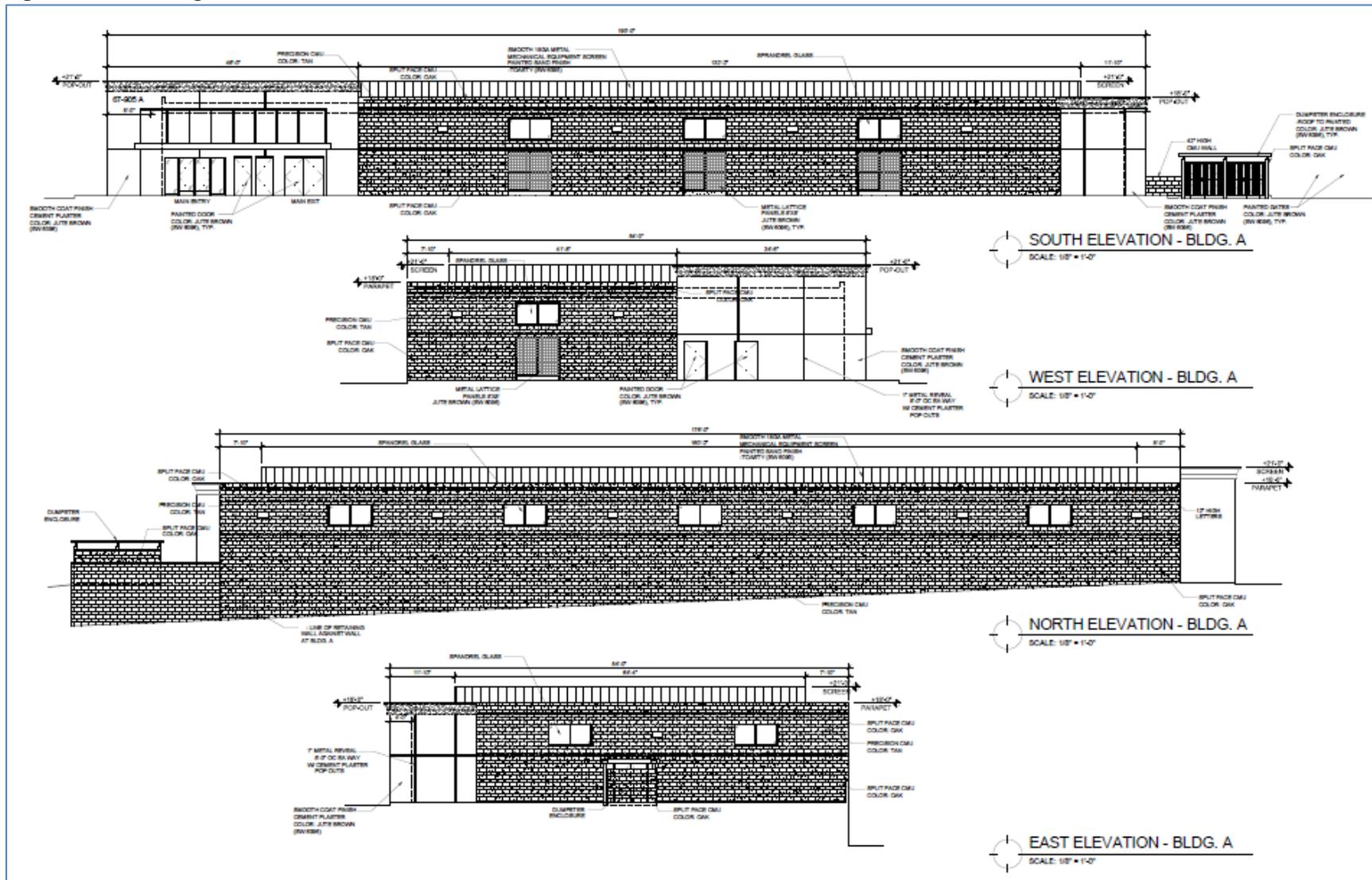


Figure 1-6: Building A Elevations





## CHAPTER 2 – ENVIRONMENTAL CHECKLIST

1. **Project title:**  
Ecoplex Park  
Conditional Use Permit (CUP) 17-005  
Tentative Parcel Map (TPM) 37273
2. **Lead Agency:**  
City of Cathedral City  
68-700 Avenida Lalo Guerrero  
Cathedral City, CA 92234
3. **Contact persons:**  
Robert Rodriguez, Planning Manager  
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760-770-0344/rrodriguez@cathedralcity.gov  
  
Sandra Campbell, Associate Planner  
City of Cathedral City  
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Cathedral City, CA 92239  
780-770-0334/scampbell@cathedralcity.gov
4. **Project location:** The project site is located within the City of Cathedral City, Riverside County, California. The project site address is 67905 East Palm Canyon Drive and is identified as APN 687-510-048. The project site is located at the terminus of Margot Murphy Way, a private street on the south side of East Palm Canyon Drive between Perez Road and Canyon Plaza Drive.
5. **Project applicant:**  
Mountain Edge Collective  
30875 Date Palm Drive  
Cathedral City, CA 92234
6. **General Plan Designation:** CG (General Commercial)
7. **Zoning Designation:** PCC (Planned Community Commercial)
8. **Prior Environmental Documents:** none
9. **Project Description:** The project involves the subdivision of a 2.8-acre property into two parcels and construction of a warehouse type buildings on each parcel for the purpose of medical cannabis cultivation. The project requires approval of a Conditional Use Permit (CUP 17-005) and Tentative Parcel Map TPM 37273.

Parcel I will be 1.12 acres in size and Parcel II 1.69 acres in size. Building A, a single-story, 14,606-square-foot building, will be constructed on Parcel I. Building B, a two-story, 28,838-square-foot building, will be constructed on Parcel II. The project site is located within the PCC (Planned Community Commercial) zoning district and is within Specific Plan SP 89-39. The property is designated CG (General Commercial) on the General Plan land use map.

The project will include right-of-way improvements along the cul-de-sac of Margot Murphy Way that will include sidewalk, and curb and gutter. The project will also involve construction of system of retention walls varying between 3.5 to 15 feet in height to provide a level surface for the project. Other proposed improvements include sewer and gas connections, and water improvements. Telephone and telecommunications services will also be required for the project. Water retention basins will be provided throughout the site to accommodate storm water flows.

Entrance to both parcels will be from a single driveway off of Margot Murphy Way. A total of 42 off-street parking spaces will be provided for the project of which 29 spaces are to be located on Parcel II and 13 spaces on Parcel I. Parking and the entrance driveway will be shared by both buildings under a mutual parking and access agreement.

10. **Project Site Description:** The project site is an irregular-shaped property located at the terminus of Margot Murphy Way, a private road off of East Palm Canyon Drive. With the exception of the southern tip, the majority of the site slopes moderately in a west to east direction. The southerly tip has a rocky slope that rises up towards the north-facing slopes of the San Jacinto Mountains. An underground drainage pipe from the Eagle Canyon Dam crosses the property in an east-west direction dividing the southerly tip from the northern portion. The drainage pipe is located within a 30-foot-wide easement that will remain undeveloped.

The project site is vacant and highly disturbed from past grading activities. The majority of the site is covered with loose dirt imported from the Eagle Canyon Dam project. The southwest corner of the site has a rocky slope. With the exception of several palm trees, the site has little vegetation.

11. **Regional Setting:** The project site is in the City of Cathedral City in Riverside County. Cathedral City is one of nine cities located in the Coachella Valley. The Coachella Valley is a low-lying desert region, approximately 15 miles wide bounded by the San Jacinto Mountains and Santa Rosa Mountains on the west, the Little San Bernardino Mountains on the north and east, and the northern shore of the Salton Sea on the southeast. Interstate 10 runs along the middle of the Coachella Valley floor. Cathedral City is located just east of Palm Springs and spans the valley floor from south to north with the I-10 Freeway dividing the southern portion of the City from the northern portion.

12. **Surrounding land uses:** The project site is located at the end of Margot Murphy Way. Margot Murphy Way is on the south side of East Palm Canyon Drive between Perez Road and Canyon Plaza Drive. A small vacant lot and an auto dealership are located directly north of the project site. Auto repair shops that front on Perez Road border the site on the east. A vacant property borders the site on the west. Approximately 400 feet southwest of the project site west are the exterior boundaries of the Eagle Canyon Dam project. The foothills of the San Jacinto Mountains are located directly south of the project site.

**13. Other public agencies whose approval is required:**

Desert Water Agency (DWA)

South Coast Air Quality Management District (SCAQMD)

Coachella Valley Water District (CVWD)

Colorado River Basin Regional Water Quality Control Board (CRVRWQCB)

County of Riverside Department of Environmental Health

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# EVALUATION OF ENVIRONMENTAL IMPACTS

## I. AESTHETICS

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

### Environmental Setting

The City of Cathedral City is located within the Coachella Valley of Southern California, a low-lying desert area surrounded by several mountain ranges. The base of the San Jacinto and Santa Rosa Mountains runs along the southerly boundary of the City. The San Jacinto and Santa Rosa Mountains rise steeply from the desert floor reaching 10,834 feet at the top of Mount San Jacinto. The lower, south-facing foothills of the San Jacinto Mountains are located along the southern edge of the City.

Views of the mountains from the desert floor are striking and are considered valuable scenic resources for the City. In the City’s General Plan Community Image and Urban Design Element it states that mountain views are important scenic resources and preservation of mountain vistas is an important goal for the community. General Plan goals and policies related to scenic vistas include:

#### Goal 2

Preservation and enhancement of the City as a balanced mix of built and natural environments that contribute to the overall quality of life for its citizens and visitors, while preserving scenic resources of the desert and mountains.

#### Policy 1

Public and private sector development shall be subject to citywide design guidelines that include the Ahwahnee Principles and are intended to protect the community’s scenic viewsheds, provide community cohesion, and enhance the image of Cathedral City as a residential and smart-growth community.



**Figure 2-1** View towards project site from East Palm Canyon Drive



**Figure 2-2** View across site from Margot Murphy Way



**Figure 2-3** Photo simulation of project appearance from East Palm Canyon Drive and Margot Murphy Way.

**CHECKLIST RESPONSES:**

*Have a substantial adverse effect on a scenic vista?*

- a. **Less than significant impact.** Views towards the mountains are considered important scenic resources to the City. The project site is located at the base of the San Jacinto Mountains foothills. As shown in Figure 2-1, striking views of the San Jacinto Mountains can be seen from East Palm Canyon Drive north of the project site. A significant impact could occur if the project introduced a structure that would block or detract from the existing valued aesthetic quality of the scenic vista. In this case, the scenic vista from East Palm Canyon Drive could be impacted by the construction of the two buildings proposed by the project.

The height of the proposed buildings will only have a slight impact on the existing scenic views from East Palm Canyon Drive. The highest point of Building A will be 21 feet above grade at the rear of the building. The highest point of Building B will be 32 feet above grade. The existing infill soil will be removed to a depth of about 10 feet and the site graded so building pads are level. The lower elevation will reduce the visual impact of the building heights. In addition, existing mountains views from East Palm Canyon Drive are partially blocked by the auto dealership buildings. A significant portion of the mountains will remain visible from East Palm Canyon Drive after construction of the project. As shown in Figure 2-3, the proposed buildings will only have a minor impact of the scenic vista.

The buildings and landscaping must be consistent with the City's Design Guidelines. The elevations and landscape plans require review by the City's Design Review Subcommittee and the Planning Commission to ensure consistency with the guidelines and the City's General Plan policies regarding scenic vistas. The buildings have been designed to be compatible with their location in that their color and wall texture are similar to the rocky mountain slopes directly behind the project site. As such, the project will be designed to complement its surroundings. In addition, landscaping will soften the appearance from the

road. Therefore, the project will result in a less than significant impact on a scenic vista.

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

- b. Less than significant impact.** The project site is located on Margot Murphy Way, a private street that begins at East Palm Drive and terminates in a cul-de-sac on the north side of the project site. Neither Margot Murphy Way nor East Palm Canyon Drive in the vicinity of the site are a designated state scenic highway. However, the stretch of East Palm Canyon Drive within the City of Cathedral City is eligible for designation as a state scenic highway due to the scenic vistas of the mountains to the south. As discussed under a., the project will not significantly impact scenic views from that roadway and there are no other resources such as rock outcroppings, trees or historic buildings that are considered scenic resources. Therefore, the project will result in a less than significant impact to scenic resources within a state scenic highway.

*Substantially degrade the existing visual character or quality of the site and its surroundings?*

- c. Less than significant impact.** The project site and surrounding area are characterized by their location at the base of the San Jacinto Mountains. The majority of the project site has been highly disturbed due to grading and the addition of infill soil from the Eagle Canyon Dam project. The majority of the site is covered with rocky soil and has little vegetation with the exception of one or two palm trees. Some rock outcroppings exist at the rear of the site. The rear approximately one-third of the site will remain undisturbed with construction of the project.

The buildings have been designed to complement the rocky slopes of the mountains in the brown color and rough texture of the exterior walls. The base of the buildings will be landscaped to soften their appearance from neighboring properties and the roadway.

The proposed project will be developed consistent with the City's General Plan, Zoning Ordinance and Cathedral City Downtown Design Guidelines. The project will also require review by the Architectural Review Subcommittee to ensure compliance with the Design Guidelines. As such, the project will be aesthetically compatible with surrounding development, of high quality design, and the scale and massing of the project will be consistent with surrounding development. Therefore, the proposed project will have a less than significant on the visual character of the site and surroundings.

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

- d. Less than significant impact.** The project site is located within an urbanized area where illumination from streetlights, building lights, and vehicular headlights already exist in the project vicinity. Development of the site would introduce a new permanent source of light and glare into the area. However, the lighting will be required to be consistent with Chapter 9.89 of the City's Zoning Ordinance. Compliance with these regulations will avoid or minimize the impacts of light and glare within the project site and on surrounding areas. Standard design techniques are required to be employed in the project's lighting plan to shield light fixtures and control direct glare and light spillover from emanating off-site. Therefore, the project will result in a less than significant impact from the introduction of lighting into the area.

**II. AGRICULTURE AND FOREST RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to 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 the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is located at the southern boundary of the City of Cathedral City and is within a mostly urbanized area. The project site is vacant and has been graded and has been covered with a soil fill. With the exception of a few palm trees there is little vegetation on the site.

The site borders the San Jacinto Mountains on the south, and commercial development on the north and east. There is a vacant site adjacent to the west that has also been graded and contains little vegetation.

There are no existing farms, agricultural operations, agriculturally zoned property, or forest land on the site or within the surrounding area.

**CHECKLIST RESPONSES:**

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

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

**a., b. No impact.** The project site is not listed as prime farmland, unique farmland or farmland of statewide importance as shown on maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Both the project site and properties to the north and west are zoned PCC (Planned Community Commercial). The properties to the east are zoned CBP-2 (Commercial Business Park) District. Neither the PCC nor the CBP-2 zoning districts permits agricultural uses with the exception of medical cannabis cultivation within an enclosed building. The area adjacent to the south is zoned OS (Open Space), which permits agricultural uses. However, the steeply sloped rocky foothills of the San Jacinto Mountains adjacent to the south would not be conducive to agriculture. The project site is not encumbered by a Williamson Act contract. Therefore, the proposed project will not result in any negative impacts to agricultural resources.

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))?*

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

**c., d. No impact.** Neither the project site nor the immediate surrounding area is being used for timberland production. The project site and surrounding area are not zoned for forest land or for timberland production. Therefore, the proposed project will not result in any impacts to forest lands or timberlands.

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?*

**e. No impact.** The proposed project and the surrounding area are not being used for either agriculture or timberland production. The areas to the north and east are developed with commercial uses and the vacant property adjacent to the west is not zoned for such uses. The northern slopes of the San Jacinto Mountains border the site to the south. The rocky slopes of the mountains are not conducive to either agriculture or forestry production. The area of the San Jacinto Mountains directly adjacent to and in the immediate vicinity of the project site are not in use for either agriculture or forestry. As such, the project would not result in any impacts to agriculture or forestland resources.

**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management control district may be relied upon to make the following determinations. Would the project:

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

**AIR QUALITY BACKGROUND**

The *Ecoplex Park Air Quality and Climate Change Impact Analysis* report was prepared for the proposed project by Kunzman Associates, Inc. in March 2017. The specific purpose of the air quality analysis was to address the possibility of regional and local air quality impacts and global climate change impacts from the project. The findings of this report are summarized in the following sections. The complete report is included as Appendix A.

**Atmospheric Setting**

The project site is within the Salton Sea Air Basin (SSAB). The SSAB is located with the area covered by the South Coast Air Quality Management District (SCAQMD). The AQMD air basin includes portions of Los Angeles, Riverside and San Bernardino counties and all of Orange County. Within Riverside County, the AQMD also has jurisdiction over the SSAB and a portion of the Mojave Desert Air Basin.

The SSAB consists of the central portion of Riverside County (the Coachella Valley) and Imperial County. Air quality in the SSAB is impacted by dominant air flows, topography, atmospheric inversions, location, season, and time of day.

Air quality conditions within the SSAB are monitored by the AQMD. The AQMD is responsible for development of the regional AQMP and efforts to regulate pollutant emissions from a variety of sources.

Cathedral City is located within the Coachella Valley, a geographically and meteorologically unique area within the SSAB. The region is impacted by significant air pollution levels caused by the transport of pollutants, primarily ozone and locally generated PM 10 (course particulate matter less than 10 micrometers in size), from coastal air basins to the west. Mountains surrounding the region cutoff the Coachella Valley from coastal influences creating a hot and dry low-lying desert. Due to the geographical setting, the area experiences strong winds that suspend and transport large quantities of sand and dust, which constitutes a significant health threat. The Coachella Valley generally has good air quality, but substantial degradation of air quality may be primarily attributed to sources outside the Coachella Valley.

### **Regulatory Setting**

Federal Laws and Regulations:

- Clean Air Act (CAA) 1970
- National Ambient Air Quality Standards (NAAQs) for criteria pollutants established by the Environmental Protection Agency (EPA) under the authority of the CAA

State Laws and Regulations:

- California Clean Air Act (CCAA), adopted in 1988, required the California Air Resources Board (CARB) to establish the California Ambient Air Quality Standards (CAAQS) at the State level.
- California Air Resources Board (CARB) is responsible for enforcing state standards, generally more stringent than federal standards.
- State Implementation Plans (SIP) are prepared to assist regional air quality management district in meeting federal and state AAQs.
- California Green Building Standards (Title 24) include requirements for new buildings to reduce water consumption, use building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

Regional:

- SCAQMD. The SCAQMD is the agency principally responsible for comprehensive air pollution control within the South Coast Air Basin (SCAB). The SCAQMD is responsible for controlling emissions primarily from stationary sources and has developed rules and regulations establishing permitting requirements for stationary sources, inspects emission sources, and enforces those measures through an educational program or fines. The SCAQMD maintains air quality monitoring stations throughout the basin.

The SCAQMD, in cooperation with the SCAG, is also responsible for preparing the Air Quality Management Plan (AQMP) for the region. An AQMP is a plan prepared and implemented by an air pollution district for a county or region designated as nonattainment for one or more of the federal or California ambient air quality standards.

The most recent AQMP for the SCAB is the draft 2016 AQMP released by the SCAQMD, which is a regional blueprint for achieving federal air quality standards. The primary goal of the 2016 AQMP is to meet clean air standards and protect public health. Once the 2016 AQMP has been approved by the EPA, it will become federally enforceable. However, until the 2016 AQMP is adopted and approved, the approved 2012 is still in effect.

## SCAQMD Rules

The AQMP for the SCAB establishes a program of rules and regulations administered by the SCAQMD to obtain attainment of the state and federal air quality standards. The rules and regulations applicable to the project include, but are not limited to, the following:

**Rule 402** prohibits discharging from any source such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of people or the public or which endanger the comfort, health or safety of the public or which cause damage or injury to a property. The provisions of the rule do not apply to agricultural operations.

**Rule 403** governs emissions of fugitive dust during construction and operation activities. Compliance is achieved through Best Management Practices (BMPs), such as application of water or chemical stabilizers to disturbed soils, restricting vehicle speed on unpaved roads, and stopping construction activities when winds exceed 25 mph, etc. Rule 403 also requires that fugitive dust be controlled with best available control measures.

**Rule 403.1** is supplemental to Rule 403 requirements and only applies to fugitive dust sources in the Coachella Valley. Additional requirements are placed on construction activities for areas within a Coachella Valley Blowsand Zone including stabilization of new deposits of bulk material, application of chemical stabilizers, installation of windbreaks, and implementation of measures to minimize wind driven fugitive dust. Projects located within the Coachella Valley are also required to have a fugitive dust control plan approved by the SCQAMD for projects disturbing a surface area of more than 5,000 square feet in size.

**Rule 1108** governs the sale, use and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt used in the South Coast Air Basin. This rule would regulate the VOC content of asphalt used during construction. Therefore, all asphalt used during construction of the project must comply with Rule 1108.

**Rule 1113** governs the sale, use and manufacturing of architectural coatings and limits the volatile organic compounds (VOCs) content in paints, and paint solvents. Rule 1113 regulates the VOC content of paints used during construction and operation of projects within the SCAB.

Although the SCAQMD is responsible for regional air quality planning efforts, it does not have the authority to directly regulate air quality issues associated with plans and new development projects within the SCAB. Instead, this is controlled through local jurisdictions in accordance with CEQA. To assist local jurisdictions with air quality compliance issues, the 1993 CEQA Air Quality Handbook prepared by the SCAQMD was developed in accordance with the projections and programs of the AQMP. The Handbook provides Lead Agencies with the tools to analyze projects for potential air quality impacts and provides information on how to mitigate impacts to air quality.

## Local Regulations

**Coachella Valley Dust Control Ordinance** adopted by the City of Cathedral City in 2003 requires projects needing a grading permit to submit a Fugitive Dust Control Plan that must be approved by the City before a grading permit can be issued.

## CRITERIA POLLUTANTS AND AMBIENT AIR QUALITY STANDARDS

Criteria pollutants are those for which the U.S. Environmental Protection Agency (EPA) and California Air Resources Board (CARB) have established air quality standards. These pollutants are designated as “criteria” air pollutants due to their harmful effects on public health and the environment. The air quality standards are levels of contaminants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The EPA sets

National Ambient Air Quality Standards for six criteria pollutants, which include carbon monoxide (CO), nitrous dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), lead, ground-level ozone, and particulate matter. The State of California includes one additional pollutant referred to as “Visibility Reducing Particles”.

Although the Federal Clean Air Act (CAA) requires the EPA to set outdoor air quality standards for the nation, the CAA permits states to adopt additional or more protective standards. California has set standards for certain pollutants such as particulate matter and ozone that are stricter than the federal standards and has also set standards for some pollutants not addressed by the federal standards. Areas that meet ambient air quality standards are classified as attainment areas.

**Table AQ-1 – State and Federal Criteria Pollutant Standards<sup>1</sup>**

Air Pollutant	Concentration / Averaging Time		Most Relevant Effects
	California Standards	Federal Primary Standards	
Ozone (O <sub>3</sub> )	0.09 ppm/1-hour 0.07 ppm/8-hour	0.070 ppm/8-hour	(a) Decline in pulmonary function and localized lung edema in humans and animals; (b) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (c) Increased mortality risk; (d) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (e) Vegetation damage; and (f) Property damage.
Carbon Monoxide (CO)	20.0 ppm/1-hour 9.0 ppm/8-hour	35.0 ppm/1-hour 9.0 ppm/8-hour	(a) Aggravation of angina pectoris and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; and (d) Possible increased risk to fetuses.
Nitrogen Dioxide (NO <sub>2</sub> )	0.18 ppm/1-hour 0.03 ppm/annual	100 ppb/1-hour 0.053 ppm/annual	(a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; and (c) Contribution to atmospheric discoloration.
Sulfur Dioxide (SO <sub>2</sub> )	0.25 ppm/1-hour 0.04 ppm/24-hour	75 ppb/1-hour 0.14 ppm/24-hour	(a) Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma.
Suspended Particulate Matter (PM <sub>10</sub> )	50 µg/m <sup>3</sup> /24-hour 20 µg/m <sup>3</sup> /annual	150 µg/m <sup>3</sup> /24-hour	(a) Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease; (b) Declines in pulmonary function growth in children; (c) Increased risk of premature death from heart or lung diseases in elderly.
Suspended Particulate Matter (PM <sub>2.5</sub> )	12 µg/m <sup>3</sup> / annual	35 µg/m <sup>3</sup> /24-hour 12 µg/m <sup>3</sup> /annual	
Sulfates	25 µg/m <sup>3</sup> /24-hour	No Federal Standards	(a) Decrease in ventilatory function; (b) Aggravation of asthmatic symptoms; (c) Aggravation of cardio-pulmonary disease; (d) Vegetation damage; (e) Degradation of visibility; (f) property damage.
Lead	1.5 µg/m <sup>3</sup> /30-day	0.15 µg/m <sup>3</sup> /3-month rolling	(a) Learning disabilities; (b) Impairment of blood formation and nerve conduction.
Visibility Reducing Particles	Extinction coefficient of 0.23 per kilometer-visibility of 10 miles or more due to particles when humidity is less than 70 percent.	No Federal Standards	Visibility impairment on days when relative humidity is less than 70 percent.

<sup>1</sup> Source: [arb.ca.gov/research/aaqs/aaqs2.pdf](http://arb.ca.gov/research/aaqs/aaqs2.pdf)

**Table AQ-2 – Salton Sea Air Basin Attainment Status<sup>2</sup>**

Pollutant	State Status <sup>1</sup>	National Status <sup>2</sup>
Ozone	Nonattainment	Nonattainment
Carbon monoxide	Attainment	Attainment
Nitrogen dioxide	Attainment	Unclassified/Attainment
Sulfur dioxide	Attainment	Attainment
PM10	Nonattainment	Nonattainment
PM2.5	Unclassified	Unclassified/Attainment

<sup>1</sup>Source of State Status: California Air Resources Board 2011

<sup>2</sup>Source of National status: US EPA 2012

As shown in Table AQ-2, air quality in the SSAB exceeds state and federal standards for fugitive dust (PM10), and ozone (O3), and is in attainment/unclassified for PM2.5. Ambient air quality in the SSAB, including the project site, does not exceed state and federal standards for carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, sulfates, hydrogen sulfide, or vinyl chloride.

**Table AQ-3 – SCAQMD Air Quality Significance Thresholds for Coachella Valley<sup>34</sup>**

Mass Daily Thresholds		
Pollutant	Construction (lbs/day)	Operation (lbs/day)
NOx	100	100
VOC	75	75
PM10	150	150
PM2.5	55	55
SOx	150	150
CO	550	550
Lead	3	3
Toxic Air Contaminants, Odor and GHG Thresholds		
TACs	Maximum Incremental Cancer Risk $\geq$ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas $\geq$ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
GHG	10,000 MT/yr CO <sub>2</sub> e for industrial facilities	
Ambient Air Quality Standards		
Pollutant	SCAQMD Standards	
NO <sub>2</sub> -1-hour average	0.18 ppm (338 $\mu\text{g}/\text{m}^3$ )	
PM10 -24-hour average		
Construction	10.4 $\mu\text{g}/\text{m}^3$	
Operations	2.5 $\mu\text{g}/\text{m}^3$	
PM2.5 -24-hour average		
Construction	10.4 $\mu\text{g}/\text{m}^3$	
Operations	2.5 $\mu\text{g}/\text{m}^3$	
SO <sub>2</sub>		
1-hour average	0.25 ppm	
24-hour average	0.04 ppm	
CO		
1-hour average	20 ppm (23,000 $\mu\text{g}/\text{m}^3$ )	
8-hour average	9 ppm (10,000 $\mu\text{g}/\text{m}^3$ )	
Lead		
30-day average	1.5 $\mu\text{g}/\text{m}^3$	
Rolling 3-month average	0.15 $\mu\text{g}/\text{m}^3$	
Quarterly average	1.5 $\mu\text{g}/\text{m}^3$	

<sup>2</sup> Ecoplex Park Air Quality and Global Climate Change Impact Analysis, March 31, 2017

<sup>3</sup> Source: <http://www.aqmd.gov/ceqa/handbook/signthres.pdf>

<sup>4</sup> Construction thresholds apply to both the SCAB and Coachella Valley. For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds.

Many air quality impacts that derive from dispersed mobile sources, the dominant pollution generators in the SSAB, often occur hours later and miles away after photochemical processes have converted primary exhaust pollutants into secondary contaminants such as ozone. Since the incremental air quality impact of a single project is usually very small and difficult to measure, the SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than on actual ambient air quality. The SCAQMD CEQA Handbook states that any project in the SCAB with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. For purposes of this air quality impact analysis, a regional air quality impact would be considered significant if emissions exceed the SCAQMD significance thresholds for the Coachella Valley identified in Table AQ-3.

### **Local Air Quality**

Project-related, construction air emissions may have the potential to exceed state and federal air quality standards in the immediate vicinity of the project even though they may not be significant at a regional level. The SCAQMD developed Localized Significance Thresholds (LSTs) to assess localized air quality impacts to assess local air quality impacts in the project vicinity. The SCAQMD found that the primary emissions of concern are CO, NOx, PM10, and PM2.5. The SCAQMD has also developed mass rate look-up tables by source receptor area (SRA) that can be used by public agencies to determine whether a project may generate significant adverse localized air quality impacts. The SCAQMD has provided Final Localized Significant Threshold Methodology (LST Methodology) in June 2003. If the calculated emissions for the project during construction or operation are below LST emission levels found on the look-up tables, then the project would not be considered as having the potential to have a significant impact on localized air quality.

### **Toxic Air Contaminants**

In addition to criteria pollutants, toxic air contaminants (TACs) are another group of pollutants of concern that are known to cause cancer and other serious health effects. Sources of TACs include industrial processes, commercial operations, and motor vehicle exhaust.

The majority of the health risks from toxic air contaminants can be attributed to relatively few compounds, the most important of which is diesel particulate matter (DPM). DPM is especially harmful to children and the elderly. Diesel engines emit a complex mixture of air pollutants composed of gaseous and solid material. The visible emissions are known as particulate matter or PM, which includes soot. Diesel exhaust also contains a variety of harmful gases and other cancer-causing substances. As stated in the air quality impact analysis, diesel emissions are responsible for the majority of the state's potential airborne cancer risk from combustion sources.

**Table AQ-4 – Project Compliance with SCAQMD Air Quality Significance Thresholds for Coachella Valley<sup>5</sup>**

<b>Mass Daily Thresholds<sup>a</sup></b>		
<b>Pollutant</b>	<b>Construction<sup>b</sup></b>	<b>Operation<sup>c</sup></b>
NOX	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
SOX	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
<b>Toxic Air Contaminants (TACs), Odor, and GHG Thresholds</b>		
TACs (including carcinogens and non-carcinogens)	Maximum incremental cancer risk $\geq$ 10 in 1 million Cancer burden > 0.5 excess cancer cases (in areas $\geq$ 1 in 1 million) Chronic and acute hazard index $\geq$ 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402.	
<b>Ambient Air Quality Standards for Criteria Pollutants<sup>d</sup></b>		
NO <sub>2</sub> – 1-hour average Annual arithmetic mean	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.03 ppm (state) and 0.0534 ppm (federal)	
PM10 24-hour average Annual average	10.4 ug/m <sup>3</sup> (construction) <sup>e</sup> & 2.5 ug/m <sup>3</sup> (operation) 1.0 ug/m <sup>3</sup>	
PM2.5 24-hour average	10.4 ug/m <sup>3</sup> (construction) <sup>e</sup> & 2.5 ug/m <sup>3</sup> (operation)	
SO <sub>2</sub> 1-hour average 24-hour average	0.25 ppm (state) & 0.075 ppm (federal – 99th percentile) 0.04 ppm (state)	
Sulfate 24-hour average	25 ug/m <sup>3</sup> (state)	
CO 1-hour average 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)	
Lead 30-day average Rolling 3-month average	1.5 ug/m <sup>3</sup> (state) 0.15 ug/m <sup>3</sup> (federal)	

a. Source: SCAQMD CEQA Handbook (SCAQMD, 1993)

b. Construction thresholds apply to both the South Coast Air Basin and Coachella Valley (Salton Sea and Mojave Desert Air Basins).

c. For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds.

d Ambient air quality thresholds for criteria pollutants based on SCAQMD Rule 1303, Table A-2 unless otherwise stated.

e Ambient air quality threshold based on SCAQMD Rule 403.

KEY: lbs/day = pounds per day ppm = parts per million ug/m<sup>3</sup> = microgram per cubic meter  $\geq$  = greater than or equal to MT/yr CO<sub>2</sub>eq = metric tons per year of CO<sub>2</sub> equivalents > = greater than

<sup>5</sup> SCAQMD, March 2015

## CHECKLIST RESPONSES:

*Conflict with or obstruct implementation of the applicable air quality plan?*

- a. **Less than significant impact.** SCAQMD recommends that Lead Agencies use two criteria for determining a project's consistency with the applicable AQMP. The SCAQMD CEQA Handbook identifies two criteria as indicators of consistency with the AQMP:
1. Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
  2. Whether the project is consistent with the local General Plan, since assumptions in the AQMP are based on those used in local general plans.

Criterion 1: Based on the air quality modeling analysis contained in the Air Analysis, short-term construction impacts will not result in significant impacts based on the SCAQMD regional and local thresholds of significance. The air analysis also found that long-term operational impacts will not result in significant impacts based on the SCAQMD local and regional thresholds of significance.

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

Criterion 2: Consistency with the AQMP assumptions is determined by performing an analysis of the proposed project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the proposed project are based on the same forecasts as the AQMP. The 2016-2040 Regional Transportation/Sustainable Communities Strategy, prepared by SCAG, 2016, includes chapters on the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this project, the City's General Plan Land Use Element defines the assumptions that are represented in the AQMP. The project site is currently designated as "CG" (General Commercial) in the General Plan land use map. The proposed cultivation facility would be consistent with the existing General Plan land use designation. Therefore, the proposed project would not result in an inconsistency with the CG land use designation in the City's General Plan. Therefore, the project is not anticipated to exceed the AQMP assumptions for the project site and is found to be consistent with the AQMP for the second criterion.

Based on the above analysis, the proposed project will not result in an inconsistency with the SCAQMD AQMP and will result in a less than significant impact from a conflict with or obstruction of the implementation of the applicable air quality plan.

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

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

- b. & c. **Less than significant impact.**

### **Construction-related regional impacts**

SCAQMD recommends that quantitative air pollution thresholds be used to determine the significance of

project emissions. The SCAQMD thresholds are based on daily emission allowances for construction and operation of a project. The project construction and operation emissions were analyzed using CalEEMod Version 2016.3.1 to calculate the peak daily air pollutant emission rates during construction.

### **Construction-Related Emissions**

Air pollutants are generated from construction activities such as demolition, site grading, and other ground disturbance, operation of construction equipment, stationary power, building construction, and related off-site travel, and off gassing from paving and architectural coatings. Construction activities for the project were anticipated to include:

- grading of approximately 1.473 acres;
- construction of approximately 43,444 square feet of buildings (building footprint is 29,025 square feet);
- paving of a 42-space parking lot;
- landscaping and undeveloped areas of approximately 1.5 acres; and
- application of architectural coatings.

Construction of the proposed project is estimated to include approximately 7,500 cubic yards of export. Although the proposed project is expected to be constructed in two phases, to be conservative, it was modeled as one phase, with construction beginning in June 2017 and ending in June 2018.

SCAQMD Rules 403 and 403.1 require fugitive dust generating activities follow best available control measures to reduce emissions from fugitive dust. Although these measures are reported as mitigation in CalEEMod, all construction activities will conform with SCAQMD fugitive dust requirements and, therefore, the measures are actually considered project design features.

Per SCAQMD Rule 1113, architectural coatings applied after January 1, 2014 will be limited to an average of 50 grams per liter or less and the CalEEMod default VOC emissions have been adjusted accordingly.

**Table AQ-5: Construction-Related Regional Pollutant Emissions<sup>6</sup>**

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO <sub>2</sub>	PM10	PM2.5
<b>Grading</b>						
On-Site <sup>2</sup>	2.32	26.16	10.78	0.02	3.75	2.50
Off-Site <sup>3</sup>	0.73	28.27	4.23	0.07	1.88	0.62
<b>Subtotal</b>	<b>3.05</b>	<b>54.43</b>	<b>15.01</b>	<b>0.09</b>	<b>5.62</b>	<b>3.12</b>
<b>Building Construction</b>						
On-Site <sup>2</sup>	3.34	23.03	16.31	0.03	1.47	1.41
Off-Site <sup>3</sup>	0.33	2.29	2.48	0.01	0.50	0.15
<b>Subtotal</b>	<b>3.67</b>	<b>25.32</b>	<b>18.79</b>	<b>0.03</b>	<b>1.97</b>	<b>1.56</b>
<b>Paving</b>						
On-Site <sup>2</sup>	1.57	14.25	11.98	0.02	0.85	0.78
Off-Site <sup>3</sup>	0.07	0.05	0.57	0.00	0.13	0.03
<b>Subtotal</b>	<b>1.65</b>	<b>14.30</b>	<b>12.55</b>	<b>0.02</b>	<b>0.98</b>	<b>0.82</b>
<b>Architectural Coating</b>						
On-Site <sup>2</sup>	36.81	2.01	1.85	0.00	0.15	0.15
Off-Site <sup>3</sup>	0.04	0.03	0.35	0.00	0.08	0.02
<b>Subtotal</b>	<b>36.86</b>	<b>2.03</b>	<b>2.20</b>	<b>0.00</b>	<b>0.23</b>	<b>0.17</b>
<b>Total for overlapping phases<sup>4</sup></b>	<b>42.18</b>	<b>41.65</b>	<b>33.54</b>	<b>0.06</b>	<b>3.18</b>	<b>2.55</b>
<b>SCAQMD Thresholds</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceeds Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

As shown in Table AQ-5, SCAQMD daily thresholds for criteria pollutants will not be exceeded during construction of the proposed project. Construction-related emissions are temporary and will end once construction is complete. Temporary construction emissions will be minimized through best development practices, adherence to a project-specific dust control plan, and proper maintenance of construction equipment, phased development, and consistency with standard air quality conditions of approval. Therefore, a less than significant regional air quality impact would occur from construction of the project.

**Long-Term Operational Impacts**

The on-going operation of the proposed project would result in a long-term increase in air pollutant emissions associated with stationary and mobile sources. This increase would be due to emissions from the project-generated vehicle trips and through operational emissions from the proposed project. Operations-related emissions were calculated using CalEEMod model. The operating emissions were based on the year 2018, the anticipated opening year. The CalEEMod analyzes operational emission from area sources, energy usage, and mobile sources.

Both summer and winter VOC, NOX, CO, SO2, PM10 and PM2.5 emissions resulting from long-term operation of the project were calculated and the highest values from either summer or winter summarized in Table AQ-5. As shown in the table, none of the analyzed criteria pollutants are expected to exceed the regional emissions thresholds. Therefore, a less than significant regional air quality impact would result from operation of the

<sup>6</sup> Kunzman Associates, Inc., *Ecoplex Park Air Quality and Global Climate Change Impact Analysis*, March 31, 2017, p. 51

project.

**Table AQ-6: Regional Operation Pollutant Emissions<sup>7</sup>**

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO2	PM10	PM2.5
Area Sources <sup>2</sup>	0.85	0.00	0.01	0.00	0.00	0.00
Energy Usage <sup>3</sup>	0.03	0.25	0.21	0.00	0.02	0.02
Mobile Sources <sup>4</sup>	0.77	5.23	9.01	0.03	2.06	0.58
<b>Total Emissions</b>	<b>1.65</b>	<b>5.49</b>	<b>9.23</b>	<b>0.03</b>	<b>2.08</b>	<b>0.59</b>
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

**Cumulative Regional Air Quality Impacts**

Cumulative air quality impacts were assessed on a regional scale given the dispersing nature of pollutant emissions and aggregate impacts from surrounding jurisdictions and air management districts. Any activity resulting in emissions of PM10, ozone, or ozone precursors will unavoidably contribute, at some level, to regional non-attainment designation of ozone, and PM10. From an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered, would cover an even larger area. Accordingly, the cumulative analysis for the project air quality was generic by nature.

The SSAB is designated as nonattainment under both the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) for ozone and PM10. Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the SSAB. The greatest cumulative impact on cumulative regional air quality will be incremental addition of pollutants from increased traffic and the use of heavy equipment and trucks associated with construction. Air quality will only be temporarily degraded during construction that occur separately or simultaneously. In accordance with SCAQMD methodology, projects that do not exceed the SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. Therefore, long-term project emissions will result in a less than significant cumulative air quality impacts at the regional level.

**Summary of Findings**

Construction source emissions would not exceed regional thresholds of significance established by the SCAQMD for the SSAB. Since the project will comply with all applicable SCAQMD construction source emission reduction rules and guidelines, construction-related impacts would not cause or substantially contribute to violation of CAAQS or NAAQS. Operational emissions would not exceed applicable regional thresholds of significance established by the SCAQMD. The project would not result in a cumulatively considerable net increase of a criteria air pollutant for which the SSAB is in non-attainment under an applicable federal or state ambient air quality standard.

Based on the above analysis, the project would result in a less than significant impact from either: a) violation of any air quality standard or contribute substantially to an existing or project air quality violation either during construction or operation of the project; or b) a cumulatively considerable net increase in any criteria pollutant for which the region is in non-attainment.

*Expose sensitive receptors to substantial pollutant concentrations?*

<sup>7</sup> Kunzman Associates, Inc., *Ecoplex Park Air Quality and Global Climate Change Impact Analysis*, March 31, 2017, p. 57

- d. **Less than significant impact.** A significant impact may occur if a project were to generate pollutant concentrations to a degree that would significantly affect sensitive receptors. For the purposes of CEQA, the SCAQMD considers sensitive receptors to be a receptor such as a residence, schools, hospital, convalescent facility, where an individual may remain for 24 hours. The nearest sensitive receptors to the project site are residents of a mobile home park located approximately 700 feet north of the project site.

Construction-Related Local Air Quality Impacts

Localized Significance Thresholds (LSTs) represent the maximum emissions from the project site that would not exceed national or state AAQS. The SCAQMD provides the LST lookup tables for one-, two-, and five-acre projects emitting CO, nitrogen oxides (NOX), or PM10. LSTs are based on the ambient concentrations of those pollutants within the project source receptor area (SRA) and the distance to the nearest sensitive receptor. The emissions thresholds used for the project are based on the project site’s location within SRA 30 – Coachella Valley. The emissions from the project were calculated based on SRA 30 and a disturbance of two acres per days with the nearest sensitive receptor at 200 meters. Table AQ-6 shows the results of the calculation of on-site emissions from construction on the closest sensitive receptors. None of the analyzed criteria pollutants would be exceeded during project construction. Therefore, a less than significant impact would result project construction on sensitive receptors.

**Table AQ-7 – Localized Significance for Project Construction Emissions\***

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5
Grading	26.16	10.78	3.75	2.50
Building Construction	23.03	16.31	1.47	1.41
Paving	14.25	11.98	0.85	0.78
Architectural Coating	2.01	1.85	0.15	0.15
SCAQMD Thresholds <sup>2</sup>	425	7,174	89	28
Exceeds Threshold?	No	No	No	No

\*Source: Calculated from CalEEMod and SCAQMD’s mass rate look-up table for two acres at a distance of 200 meters in the Coachella Valley (SRA 30)

Operation-Related Local Air Quality Impacts

Emissions from long-term project operations also have the potential to exceed federal and state air quality standards in the project vicinity even though they may not result in regional impacts to the SSAB. The proposed project was analyzed for the potential local CO emissions from project-generated vehicle trips and from the potential local air quality impacts from on-site operations.

The project was analyzed to determine potential for CO hotspots at intersections in the general project vicinity. Hot spots potentially can occur at high traffic volume intersections with a Level of Service of E or worse. Based on the 1992 Federal Attainment Plan for CO, an intersection with a daily traffic volume of 100,000 vehicles per day would not violate the CO standard. The traffic expected to be generated by the project did not meet the minimum threshold that would require a traffic study. Therefore, no CO hotspot modeling was performed and no significant long-term air quality impact is expected to occur as a result of CO hotspots.

Project-related air emissions from on-site sources such as architectural coatings, landscaping equipment, on-site usage of natural gas appliances as well as the operation of vehicles on-site may have the potential to

exceed the State and Federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Salton Sea Air Basin. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a project, if the project includes stationary sources, or attracts mobile sources (such as heavy-duty trucks) that may spend long periods queuing and idling at the site; such as industrial warehouse/transfer facilities. The proposed project is a cultivation facility and does not include such uses. Deliveries would typically be made with cargo vans or small box truck type delivery vehicles that would not idle on-site. Therefore, due the lack of stationary source emissions, no long-term localized significance threshold analysis is warranted.

The above results show LST thresholds would not be exceeded during either construction or operation of the project.

#### Toxic Air Contaminants

Construction equipment would emit DPM, a carcinogen, which are short-term in nature. Risk from DPM is considered over a 30-year exposure period because carcinogenic risk is directly related to sustained exposure. In contrast, construction would be limited to a period of approximately 12 months. Therefore, duration of construction would represent a fraction of the 30-year exposure period used as the basis for assessing significance of risk. Therefore, due to the short-term exposure, DPM emissions impacts are considered less than significant.

The project involves construction of two warehouse type buildings for the cultivation of medical cannabis. Due to the nature of the use, long-term operation of the project will not be a source of TACs and sensitive receptors will not be exposed to toxic sources of air pollution.

#### CO Hotspots

Carbon monoxide (CO) is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. If sensitive receptors are located adjacent to a major intersection, CO "hot spots" may occur during peak travel times. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. If sensitive receptors are located adjacent to a major intersection, CO "hot spots" may occur during peak travel times. High levels of CO are associated with traffic congestion and with idling or slow-moving vehicles, depending on the background concentration.

The traffic impact analysis found that the project would increase traffic at the Margot Murphy Way and East Palm Canyon intersection that currently operates at Level of Service E. As stated in the Air Quality Analysis, the 1992 Federal Attainment Plan for Carbon Monoxide showed that an intersection that has a daily traffic volume of 100,000 vehicles per day would not violate the CO standard. The Air Quality Analysis concluded that the project-generated traffic would not result in a CO hot spot at that intersection since traffic volumes at that location would be significantly less than 100,000 vehicles per day. Therefore, projects that could negatively impact levels of service at major intersections with nearby sensitive receptors must quantify and, if necessary, mitigate potentially significant CO impacts. Therefore, the project would result in a less than significant impact from hot spots at nearby intersections with project traffic.

#### Operation-Related Toxic Air Contaminants

The greatest potential for toxic air contaminant emissions would be from diesel particulate emissions associated with heavy equipment operations during construction of the project. The project would result in some minor emissions of TACs from to the limited number of heavy-duty diesel construction equipment. However, the proposed medical cannabis cultivation operation would not attract a large number of diesel fuel

trucks during operation. Therefore, operation-related TACs would be less than significant.

#### Summary

Based on the air quality analysis, project air quality impacts will not result in a significant impact from exposure of sensitive receptors to CO, NOX, PM10 or PM2.5 emissions in excess of LSTs, to toxic air contaminants, or CO hotspots. Therefore, the project will result in a less than significant impact on sensitive receptors.

#### *Create objectionable odors affecting a substantial number of people?*

- e. **Less than significant impact.** The SCAQMD CEQA Handbook states that an odor would occur if the project creates an odor nuisance pursuant to SCAQMD Rule 402. Potential sources of odors during construction include application of materials such as asphalt pavement. Objectionable odors that may be produced during construction processes are short-term in nature and would cease once drying and hardening have taken place. Diesel exhaust and VOCs would be emitted during construction which can be objectionable to some. However, these odors would disperse rapidly from the project site and should not reach objectionable levels at the nearest sensitive receptors. Therefore, due to the short-term nature and limited amounts of odor-producing materials being used, no significant impacts would result from odors during project construction.

The SCAQMD recommends that odor impacts be addressed in a qualitative manner. The analysis of odor impacts is based on whether the project would result in excessive nuisance odors as defined under the CA Code of Regulations and Section 41700 of the CA Health and Safety Code that would result in a public nuisance.

Potential sources of operational odors generated by the project would include plant blossom odors and disposal of miscellaneous commercial refuse. Pursuant to Cathedral City Zoning Code Section 9.108.050 C, all medical cannabis businesses are required to install odor filtration systems that prevent odors generated by the business from being detected outside the business. Objectionable odors are defined as those odors that would be offensive to a reasonable number of persons in an ongoing or periodic basis. In addition, SCAQMD Rule 402 acts to prevent occurrences of odor nuisances. Therefore, potential odor impacts are considered less than significant.

The project is not expected to generate significant objectionable odors during construction or during operation. The project has the potential to result in short-term odors associated with asphalt paving and other construction activities. However, construction-related odors would be quickly dispersed below detectable thresholds as distance from the construction site increase. During operation, offensive odors produced during cultivation of marijuana would be reduced to less than significant with installation of a filtration system that would include air duct filters and exhaust systems. Therefore, the project will result in less than significant impact from objectionable odors.

#### **Mitigation Measures**

None

#### **Regulatory Requirements:**

- RR-1 The project must comply with the Coachella Valley PM10 State Implementation Plan and SCQAMD Rules 403 and 403.1 regarding fugitive dust. As a standard condition of approval and pursuant to City Code section 8.54.040, the applicant will be required to prepare and submit a fugitive dust control plan before issuance of grading and building permits for the project.
- RR-2 The project is required to comply with SCAQMD rule 402 for nuisance odors, which prohibits discharging from any source such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of people or the public or which endanger the comfort, health or

safety of the public or which cause damage or injury to a property. The provisions of the rule do not apply to agricultural operations.

RR-3 The project will be required to comply with the City Municipal Code Section 9.108.050 that requires the installation of an air infiltration system to prevent odors generated by the project from being emitted to the outside where they can be detected by the public.

**IV. BIOLOGICAL RESOURCES:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Biological Resources Assessment**

The *Habitat Assessment* (Appendix B) report for the project was prepared by Gonzales Environmental Consulting in May 2017. The purpose of the report was to assess the potential for the project to negatively impact biological resources on the site and surrounding area. The following sections summarize the report's findings and conclusions.

### **Environmental Setting**

The City of Cathedral City is in the western portion of the Coachella Valley; an area where rainfall is less than four inches and mean annual soil temperature is between 72 to 78 degrees. The site is located along the southern boundary of the City where it meets the foothills of the San Jacinto Mountains.

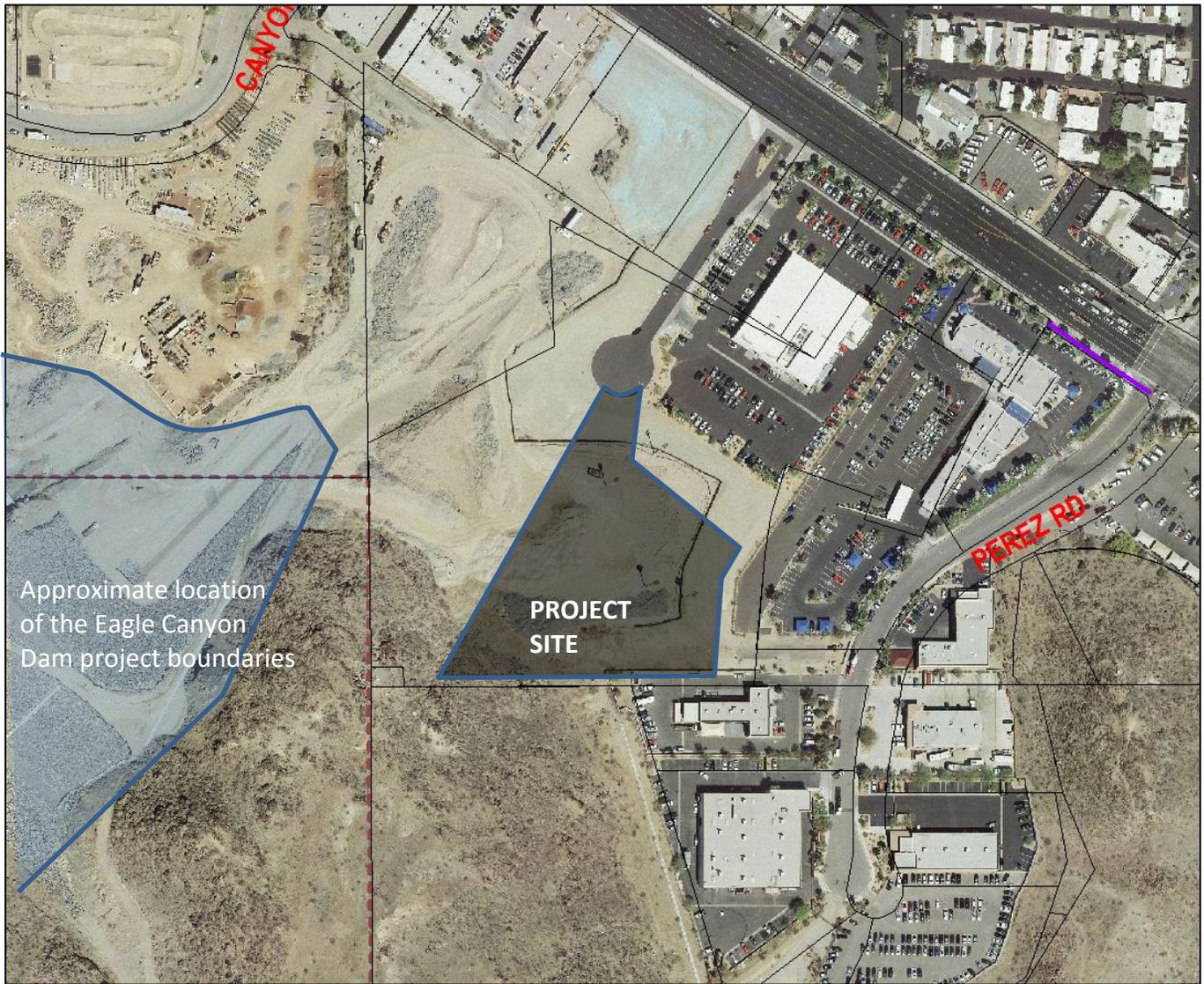
The site is highly disturbed from past grading activities that have occurred across the majority of the site. The site has been graded with infill soil from the Eagle Canyon Dam project. The majority of the site slopes moderately towards the east. The southerly corner of the site, which comprises approximately one sixth of the overall site, has a rocky slope and a steeper slope which rises towards the north slopes of the San Jacinto Mountains. A 30-foot-wide easement for the Eagle Canyon Dam drainage pipe separates the graded portion of the site from the southerly corner. This portion of the site will remain undisturbed with construction of the project. Little vegetation exists on the site with the exception of three palm trees that will be removed when the site is developed.

Commercial buildings are located to the north and east of the project site. The surrounding area also includes vacant land to the west, and the San Jacinto Mountain foothills to the south and southeast. The Eagle Canyon Dam lies approximately 400 feet to the southwest.

**Figure BIO-1: Aerial Photo of Site and Surrounding Area**



**Figure BIO-2: Aerial Photo of Site and Proximity to Eagle Canyon Dam**



## **REGULATORY SETTING**

### Federal Laws and Regulations

- Federal Endangered Species Act (FESA)
- Migratory Bird Treaty Act (MBTA)
- Sections 401 and 404 of the Clean Water Act
- Executive Order 13112 – Invasive Species

### State Laws and Regulations

- California Endangered Species Act (CESA)
- Native Plant Protection Act
- California Fish and Game Code
- California Regional Water Quality Control Board (CRWQCB)

### Regional Laws and Regulations

- Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP)

### **Agua Caliente Tribal Habitat Conservation Plan (THP)**

Tribal governments have regulatory and management authority within their reservation areas including management of biological resources located within those areas. The project site is located within the Agua Caliente Band of Cahuilla Indians (ACBCI) Reservation. Although the tribe has a formal agreement with Cathedral City delegating land use regulations and enforcement authority to the City, the tribe has retained the authority to manage and regulate biological resources within its jurisdiction.

The ACBCI Reservation consists of approximately 31,500 acres of land within its boundaries, which includes portions of the cities of Palm Springs, Cathedral City, and Rancho Mirage, and unincorporated portions of Riverside County. As a sovereign Indian nation, the Tribe manages the areas and resources within the jurisdictional territory of the Tribe. The reservation is composed of a checkerboard pattern of landholdings, including Tribal Trust Land, Allotted Trust Land, and Fee Land across Cathedral City. The ACBCI Tribal Habitat Conservation Plan (THCP) was adopted in 2010 to manage biological resources within the ACBCI reservation. The Tribe's purposes in adopting the HCP are to:

- 1) Continue to exercise its long-standing tradition as a land use manager and steward of natural resources in and around the Reservation by assuming the role of primary manager of such resources;
- 2) Establish consistency and streamline permitting requirements with respect to protected species for itself, Tribal members, and third parties develop Reservation and other Tribal lands by establishing one process that the Tribe oversees and implements.

Under the THCP, habitat preservation is achieved through: 1) authorization of certain activities, including development, subject to land conservation requirements and other general and site-specific guidelines, standards, and mitigation measures; and 2) payment by project proponents of a mitigation fee that will be used to acquire and manage habitat preservation lands.

The THCP is being implemented by the ACBCI as Tribal law. However, the THCP is still being negotiated with the USFWS as part of a Section 10(a) Federal permit application. The formal Section 10(a) requirements will not be in effect until the Implementation Agreement is signed by the USFWS and the CDFG. When approved, the Agua Caliente THCP will provide authorization under the CESA and the FESA that will allow the "take" of Covered Species, including loss of their habitat, if the proposed project is consistent with THCP requirements. Until that time, projects occurring on the Reservation should be consistent with the 2010 THCP.

The THCP provides the means to protect and contribute to the conservation of federally listed species or those deemed by the Tribe and USFWS to be sensitive and potentially in need of listing in the future (collectively Covered Species). It provides mechanisms to permit and guide development, and serves as an adaptive tool to allow the Tribe to update and/or revise baseline biological resource information, manage conservation goals and priorities, and complement other existing and planned conservation efforts in the region.

### **Federal Endangered Species Act**

The U.S. Fish and Wildlife Service (WFWS) under the authority of the Federal Endangered Species Act (FESA) manages and protects federally listed endangered or threatened species.

“Take” of listed wildlife species is prohibited under the FESA. Take is defined under the FESA as: “harass, harm, pursue, hunt, shoot, wound, trap, kill, capture or collect or to engage in any such conduct.” Harm is further defined as significant habitat alteration that results in death or injury to listed species by significantly impairing behavior patterns such as breeding, feeding, or sheltering. The FESA does not outlaw taking of plants. Instead, it prohibits removal and reducing to possession of endangered plants from federal land, maliciously damaging or destroying endangered plants found on federal land, and removing, cutting, digging up, damaging, or destroying endangered plants on non-federal land by anyone in knowing violation of state law.

The USFWS can issue a permit for “take” of listed wildlife species incidental to otherwise lawful activities. Procedures for obtaining a permit for incidental take are provided for under Section 7 of FESA for federal properties or where federal actions are involved, and are identified under Section 10 of FESA for non-federal actions. A Section 7 consultation is also required for federal actions to ensure that the action does not jeopardize the continued existence of a listed species or adversely modify designated critical habitat.

ESA Section 7: Applies to federal agencies undertaking an action (i.e., permit or license issuance or federal funding) that may affect an endangered species or designated critical habitat. Federal agencies are obligated to consult with the USFWS regarding proposed actions. Consultation between the “action agency” and USFWS may be formal or informal. Private applicants may participate in the process, in accordance with USFWS regulations.

ESA Section 10(a) Permit: Applies if project implementation is anticipated to result in incidental take (i.e., inadvertent and incidental to otherwise lawful activities) of federally listed endangered and threatened species by non-federal entities. As such, issuance of an incidental take permit is a federal action subject to the National Environmental Policy Act (NEPA), applicable Habitat Conservation Plan (HCP) and accompanying NEPA documentation (Environmental Assessment and Environmental Impact Statement or Finding of No Significant Impact) must be approved for the project.

### **Migratory Bird Treaty Act**

The federal Migratory Bird Act (MBTA) implements an international treaty that affords additional protection for migratory birds over that provided for under the CVMSHCP. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Part 10, including feathers, or other parts, nests, eggs, or products, except allowed by implementing regulations. Under the MBTA, projects that have the potential to disturb nesting are required to reduce or eliminate disturbances during the nesting cycle.

The MBTA requires that project-related disturbance at active nesting territories be reduced or eliminated during critical phases of the nesting cycle (February 1 to August 31). Disturbances that cause nest abandonment and/or loss of reproductive effort (e.g. killing or abandonment of eggs or young) or the loss of habitat upon which the birds depend could be considered take and constitute a violation of the MBTA.

## Special Status Species

Special Status species are commonly known in the scientific community as species considered sufficiently rare that they require special consideration and/or protection and have been, or have the potential to be, listed as rare, threatened or endangered by the federal and/or state governments. Those agencies include, but are not limited to, the California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS). A list of special status species relevant to the project site and its location includes all species that are one or more of the following:

- Listed as endangered or threatened, proposed for listing, or candidates for listing under the Federal Endangered Species Act (FESA);
- Listed as endangered or threatened, proposed for listing, or candidates for listing under the California Endangered Species Act (CESA);
- Included in one of the CDFW publications on species of special concern;
- Fully “protected” by the State of California;
- Included in the CNPS compilation;
- Identified as plants meeting the definition of rare or endangered under CEQA.

## Records Review and Biological Survey

A literature review was conducted to determine the potential presence or absence of species of concern within the project area. The project area is the area that has the potential to be directly or indirectly impacted by the project. The records search included review of information from the USFW, and CDFW, and examination of aerial photographs, and database searches of the California Native Plant Society, California Natural Diversity Database, and sensitive species accounts for Riverside County and other applicable databases. Other environmental documents prepared for other projects in the area were also reviewed. A list was compiled of those species considered endangered or threatened, proposed for listing or candidates for listing under the FESA, and California environmental regulations and laws.

Biological surveys of the project site and adjacent areas were conducted in March 2017 to determine the presence of sensitive species and to assess habitats for potential presence of sensitive species. Habitats for specific species of wildlife and plants identified during surveys were classified as either not expected, low, moderate, high, or expected, and were based on the quality of habitat for each species and the proximity of the habitat to a known occurrence of a species obtained from the CNDDDB data. The habitat classifications are defined as follows:

- Not expected: Species not previously reported on or near the site, and suitable habitat very marginal due to disturbances, fragmentation, and/or isolation;
- Low: Species previously reported from the vicinity of the site, but suitable habitat is marginal due to disturbances, fragmentation, and/or isolation;
- Moderate: Species previously reported from the vicinity of the site, and large areas of contiguous high-quality habitat present; or species report in the vicinity of the site, but suitable habitat is moderate due to disturbances, fragmentation, and/or isolation;
- High: Species previously reported from regional vicinity of the site, and large areas of contiguous high-quality habitat are present;
- Expected: Species previously reported from very close vicinity of the site, and large areas of contiguous high-quality habitat are present.

## Findings and Survey Results

No wetlands or streambeds were found to be present on the project site. The project site would be unlikely to

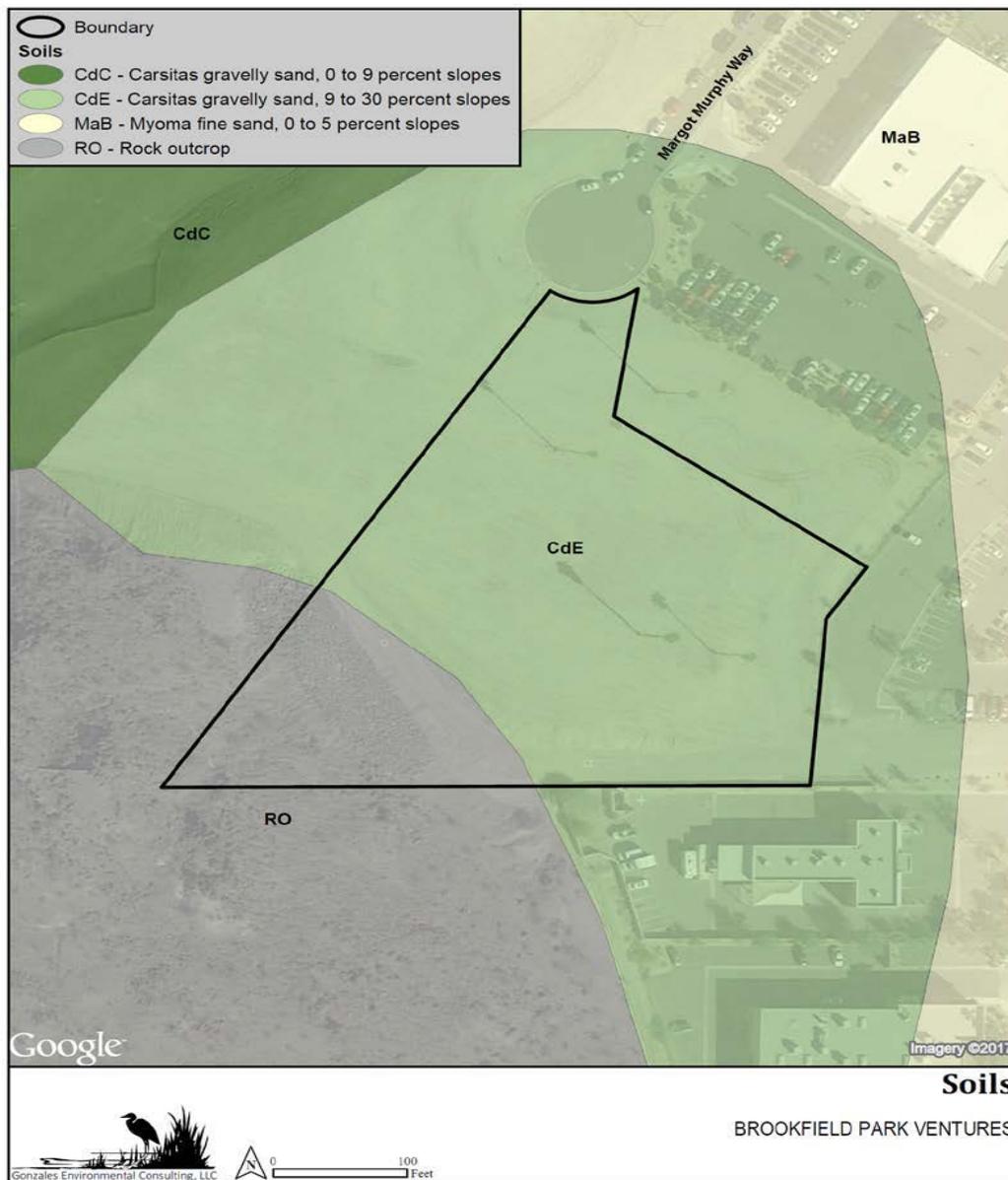
support any sensitive plant communities due to the disturbed condition. No special status plant or animal species were found to be present on the project site. Most of the special status species that may exist in the project area would be covered by the THCP and loss of habitat would be mitigated by the payment of the required fee. Table BIO-1 shows the covered species expected to occur on the site, results of the biological surveying and analysis and potential impacts.

**Table BIO-1: THCP Covered Species**

Planning Species	Present on site	Impact of project
Coachella Valley fringe-toed lizard	No Coachella Valley fringe-toed lizards were observed on site. This reptile is not expected to be in the project area, as the project is outside of their range.	No impact
Coachella Valley giant sand-treader cricket	No Coachella Valley giant sand-treader crickets were observed on site. This insect is not expected to be in the project area, as the project is outside of their range.	No impact
Coachella Valley Jerusalem cricket	No Coachella Valley Jerusalem crickets were observed on site. This insect is not expected to be in the project area, as the project is outside of their range.	No impact
Coachella Valley milkvetch	No Coachella Valley milkvetch were observed on site. This plant is not expected to be in the project area, as the project is outside of their range.	No impact
Coachella Valley round-tailed ground squirrel	No Coachella Valley round-tailed ground squirrels were observed on site. This mammal is not expected to be in the project area, as the project is outside of their range.	No impact
Desert tortoise	No desert tortoise were observed, nor sign of desert tortoise found	No impact
Flat-tailed horned lizard	No Flat-tailed horned lizards were observed on site. This reptile is not expected to be in the project area, as the project is outside of their range.	No impact
Gray Vireo	No Gray vireo were observed on site, or in the adjacent areas	No impact
Least bell's Vireo	No least Bell's vireo were observed	No impact.
LeConte's thrasher	No LeConte's thrasher was observed on site, or in the adjacent areas.	No impact.
Palm Springs pocket mouse	No Palm Springs pocket mouse was observed on site, nor sign of them found. This animal is not expected to be in the project area, as the project is outside of their range.	No impact.
Peninsular big horn sheep	No Peninsular big horn sheep were observed on site, nor sign of big horn sheep found	No impact.
Southern yellow bat	No southern yellow bat was observed on site, nor sign of southern yellow bat observed.	No impact.
Southwestern willow flycatcher	No southwestern willow flycatcher were observed	No impact.
Summer tanager	No Summer tanager were observed	No impact.

Planning Species	Present on site	Impact of project
Triple-ribbed milkvetch	No Triple-ribbed milkvetch were observed on site. This plant is not expected to be in the project area, as the project is outside of their range.	No impact
Yellow breasted chat	No yellow breasted chat were observed	No impact.
Yellow warbler	No yellow warbler were observed	No impact.

**Exhibit BIO-2: Soils of Site and Surrounding Area**



Burrowing Owl and Migratory Birds

The Western burrowing owl is a federal and state listed species of special concern and U.S. Fish and Wildlife Service Migratory Nongame Bird of Management Concern. No burrowing owls were found on the project site. There is a small potential for burrowing owls to occur on the project site in the future due to the presence of suitable habitat. Burrowing owls have been known to occupy a site with suitable habitat any time. The burrowing owl is subject to the MBTA which would require additional surveying for the burrowing owl before ground-disturbing activities. Any other migratory birds that have the potential to occur on the site would also be subject to the MBTA.

#### Vegetative Communities on the Project Site

The project site encompasses three vegetative community types that include disturbed, Sonoran creosote bush shrub and landscape. The majority of the site is disturbed due to past grading and presence of an artificial soil fill. A buried pipeline stemming from the Eagle Canyon Dam runs across the southern portion of the site where the land is slightly depressed. This section also is covered with artificial soil fill and contains little vegetation. Below the pipeline, the southern one-sixth of the project site is characterized by the rocky slopes, which will not be disturbed as part of the project. None of the sensitive vegetative communities with potential occur on the site were found during the biological surveying.

#### Wildlife Corridors

Wildlife corridors provide for wildlife movement between areas that provide habitat for wildlife for the purpose of finding food, shelter and genetic exchange that allows for a health population. Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more isolated areas such that wildlife would be prevented from moving between the habitat areas. Consequently, habitat fragmentation can have significant impacts on wildlife. The project is not expected to have an incremental effect on localized wildlife movement and habitat fragmentation in the region.

#### CHECKLIST RESPONSES:

*Have a substantial adverse effect, either directly or through habitat modification, 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 U.S. Fish and Wildlife Service?*

- a. **Less than significant with mitigation.** As noted in the habitat assessment, the project site has the potential to result in impacts to sensitive species due to loss of habitat resulting from development within the plan area. Most sensitive species that have the potential to occur on the project site are covered by the THCP and loss of habitat is mitigated by payment of a fee that goes towards protection of habitat within conservation areas of the plan. In addition, if federally endangered or threatened species were found to be impacted by the project, the project proponent would be required to consult with the ACBCI Tribe on obtaining a Section 10(a) permit. However, no special status plant or animal species were found during surveying of the project site and surrounding area. The disturbed condition of the site makes it unlikely that any special status species would occupy the site in the future.

Listed as a species of concern in California, the Western burrowing owl is protected under the federal Migratory Bird Treaty Act (MBTA), which requires additional surveying where there is the potential for the burrowing owl to occur. Although not observed during biological surveying, the site is considered to have the potential to attract burrowing owls due to the presence of suitable habitat. Mitigation measure BIO-1 requires that the project site be surveyed for the presence of burrowing owls before any project site grading or excavation takes place and protocol be observed. In addition to the burrowing owl, there is some potential for other migratory birds protected under the MBTA to nest on the site before start of

construction for the project. Mitigation measure BIO 2 will mitigate any potential impacts. Therefore, the project will result in less than significant impact to sensitive species with mitigation.

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

- b. **Less than significant impact.** The fact that the site is highly disturbed from past grading activities and development makes it unlikely that the site would harbor any sensitive natural community. No sensitive vegetative communities with the potential to occur on the site were found to be present. No riparian habitat was observed on the site during biological surveying. No wetlands as defined by Section 404 of the Clean Water Act were found to be present on the site and immediate surrounding area. Therefore, the project would result in a less than significant impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by the CDFW or USFWS.

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

- c. **No impact.** The project site is not occupied by any federally protected wetlands as defined under Section 404 of the Clean Water Act. The project survey did not find any indication of wetlands on the project site. The site is not listed on the U.S. Fish and Wildlife Wetlands Inventory map as occupied by wetlands or located near wetlands. The project will result in no impacts to wetlands.

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

- d. **Less than significant impact.** The project site consists of mostly highly disturbed infill soils and is surrounded by developed commercial properties on the north and east, vacant disturbed land to the west, and the foothills of the San Jacinto Mountains to the south. The rocky outcroppings in the southeast corner of the site will remain undisturbed with project development. No areas on the site were found during biological surveys that may be used as dens for large or small mammals, wildlife trails, or burrows. Reptile access is limited by fencing and other barriers. The site was found to provide no connectivity due to clearing and altering of native vegetation.

The project will result in a less than significant impact from interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

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

- e. **No Impact.** There are no local preservation ordinances that would apply to the project site. Cathedral City's General Plan contains policies that apply to the protection of biological resources within the City. The project is consistent with the following General Plan policies and programs in the Biological Resources Element:

Program 1.C: City staff will continue to request biological resource surveys for new development in compliance with applicable state and federal requirements.

Policy 2: As part of the development review process, projects shall be evaluated for the project's impacts on

existing habitat and wildlife, and for the land's value as viable open space.

The project is consistent with the applicable General Plan policies and programs in the conservation of biological resources in the City. Biological surveys were conducted for the project to assess impacts to biological resources and mitigation proposed as discussed under section IV(a) above. Therefore, the project would not result in any impacts resulting from a conflict with local ordinances and policies protecting biological resources.

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

- f. **No impact.** The project site is located within the Agua Caliente Reservation and is subject to the THCP. The THCP is intended to conserve open space and protect plant and animal species while providing comprehensive compliance with federal and state endangered species laws. There are multiple individual designated conservation areas in the THCP that serve to protect habitat for special status plant and animal species. Only limited development can occur in conservation areas. The proposed project is not within, nor does it abut, a designated conservation area. Since the site is within THCP boundaries, the developer is required to pay a fee to offset incremental impacts to plants and wildlife protected by the THCP.

In addition, if federally endangered or threatened species were found to be impacted by the project, the project proponent would be required to consult with the ACBCI Tribe on obtaining a Section 10(a) permit. However, no special status plant or animal species were found during surveying of the project site and surrounding area.

Therefore, the project will be consistent with the provisions of the THCP and will result in no impacts to an adopted conservation plan or local policies or ordinances protecting biological resources.

**Biological mitigation measures:**

- BIO-1.** Before issuance of any building permit for the project, a pre-construction survey shall be conducted for the burrowing owl no more than five days before any ground-disturbing activities using the proper USFWS and CDFW protocols. The survey shall be conducted as close to the actual construction initiation date as possible. The survey shall include inspection of all on-site rodent burrows by an experienced burrowing owl biologist, paid for by the project applicant, and confirmed as not having any owls in them. If evidence of the burrowing owl or desert tortoise is found on the site, then the developer shall follow the recommendations of an experienced burrowing owl biologist, hired by the City at the developer's expense, on the find before restarting the ground-disturbing activities. Evidence of the completed surveys shall be submitted to the City Planner before grading permit issuance.
- BIO-2.** If construction is to occur during the MBTA nesting cycle (February 1-September 30), a nesting bird survey shall be conducted by a qualified biologist, contracted by the applicant or City and paid by the applicant, not more than 14 days before start of ground-disturbing activities. Disturbances that cause nest abandonment and/or loss of reproductive effort (e.g. killing or abandonment of eggs or young) may be considered take and is potentially punishable by fines or imprisonment. Active bird nests shall be mapped utilizing a hand-held global positioning system (GPS) and a 300' buffer shall be flagged around the nest (500' buffer for raptor nests). Construction shall not be permitted within the buffer areas while the nest continues to be active (eggs, chicks, etc.). Results of the survey shall be submitted to the City Planner before issuance of building permits.

**V. CULTURAL RESOURCES:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Cultural Resources Background**

A cultural resources study (Appendix C) was prepared for the project by ASM Affiliates. The purpose of the cultural resources study was to determine if the project site and surrounding area harbored or had the potential to harbor significant, or eligible, prehistoric or historic resources on the project site and surrounding area. The following background and analysis is based on the cultural resources assessment prepared for the project.

**Project Site**

The project site is an irregular-shaped property approximately 2.8 acres in size located at the base of the San Jacinto Mountains. There are no structures on the site and little vegetation. The site is covered with infill soil imported from the Eagle Canyon Dam project with the exception of a triangular piece at the southern end, which will remain undeveloped with the project. This small section of the property had rocky outcroppings and has not been covered with infill. The project site is located within the Agua Caliente Band of Cahuilla Indians Tribal Reservation Designated Fee Land.

The majority of the site has a moderate west to east slope which ranges from 325 to 350 feet above mean sea level at the eastern edge of the property. The southerly approximately one-third of the site is more steeply sloped where the elevation changes from 345 to 435 feet above mean sea level along the southern boundary. On-site vegetation consists of three palm trees and little else. The majority of the site has been disturbed due to grading activities and approximately 10 feet of fill soil from the Eagle Canyon Dam.

**Regulatory Framework**

**California Register of Historical Resources**

In assessing whether a resource is significant, both the California Public Resources Code (PRC) and CEQA were

consulted. Pursuant to PRC section 5020.1(j), a “‘historical resource’ includes, but is not limited to, any object, building, site, area, place, record, or manuscript that is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.”

CEQA defines historical resources as those resources listed or eligible for listing on the California Register of Historical Resources, listed on a local register of historical resources, or those that have been determined by the Lead Agency to meet the criteria for listing on the California Register of Historical Resources (CRHR) (Public Resources Code section 5024.1, Title 14, CCR, Section 4852). For CEQA purposes, a historical resource is any building, site, structure, object, or historic district listed in or eligible for listing in CRHR. A resource is eligible for listing in the CRHR if it meets one or more of the following criteria:

- a. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- b. Is associated with the lives of persons important in our past.
- c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- d. Has yielded, or may be likely to yield, information important in prehistory or history [PRC 5024.1(c)].

An archaeological resource is one that is either listed or eligible for listing on a historical register or one that is considered to meet the CEQA definition of “unique archaeological resource.” A unique archaeological resource means: 1) one that contributes to a body of knowledge; 2) is the oldest or best of its type; or 3) is associated with a prehistoric or historic event.

#### Prehistorical Context

Prehistoric Periods – A detailed description of the prehistoric context of the site and surrounding area is included in the cultural resources report. The general framework of the prehistory of inland Southern California includes three primary periods of human occupancy:

- a. Paleoindian Period (12,000-8,000 BP) included occupancy by “small, mobile bands exploiting small and large game collecting seasonally available wild plants”
- b. Archaic Period (8,000-1500 BP) with archaeological evidence found in the northern Coachella Valley and focused on the area of Lake Cahuilla
- c. Late Prehistoric Period (1500-200 BP)

The Cahuilla Indians began to settle in the Coachella Valley during the Late Prehistoric Period and continue to be a presence in the valley today. The desert Cahuilla were able to maintain traditions and lifestyles and land bases for a longer period than coastal tribes due to their relative isolation due to geographic influences. Villages were occupied year-round while inhabitants would leave at specific periods for foraging. The Santa Rosa and San Jacinto mountains are at the center of Cahuilla territory. A dozen or more independent, politically autonomous land holding clans owned territory within the area. Each of the territories ranged from the desert or valley floor to mountain areas. Clans included one or more lineages, each of which had an independent community area within the larger clan area.

#### Historic Context

Exploration of the Coachella Valley by Europeans began in the early 1800s. European explorers began to use trading routes through the valley as early as 1815 as a primary route between the Los Angeles Basin and the gold mines in Arizona. In the Coachella Valley, Highway 111 closely follows the Bradshaw Trail, the first road across

Riverside County to the Colorado River. The Bradshaw Trail was blazed by William Bradshaw in 1862 as an overland stage route that was used extensively between 1862 and 1877 to haul miners and other passengers to the gold fields in Arizona.

The Southern Pacific Railroad brought non-Indian settlement to the Coachella Valley beginning in the 1870s. Settlement was further promoted by the establishment of the Homestead Act, Desert Land Act and other federal laws. With the development of groundwater resources, farming became important to the area. The date palm industry was particularly important to the area and by the late 1910s, dates were the main agricultural crop. Beginning in the early 20<sup>th</sup> Century, the resort industry came to be established in the Coachella Valley area. The area became an important winter retreat, which continues today.

Cathedral City founded in 1925 was named for its location at the mouth of Cathedral Canyon and was originally conceived as a development for low- to moderate-income housing. In the latter half of the 20<sup>th</sup> century, Cathedral City together with neighboring cities of Rancho Mirage, Palm Desert, Indian Wells and La Quinta began to experienced development of their own economies and have become driving forces within the Coachella Valley. Recently development along Highway 111 between Palm Springs and Cathedral City has become the focus of intensified commercial development.

### **Native American Consultation**

Native American participation was initiated with the filing of a Sacred Lands File and Native American Contacts List Request with the California Native American Heritage Commission (NAHC). The NAHC did not find records of any Native American cultural resources within the project area.

### **Field Survey**

An intensive field survey was conducted by ASM Affiliates on May 22, 2017. The consultant was accompanied by Agua Caliente Band of Cahuilla Indians designated Native American Monitor Luis Rodriguez. Field methods consisted of a pedestrian survey of the APE at 10-m intervals. The project area was photographed, and all areas of visible soil were examined for cultural resources. The entirety of the project area was noted as previously graded based on both aerial photos and visual inspection.

### **Findings and Results**

No cultural resources either listed or eligible for listing on either the National Register of Historical Places or the California Register of Historic Resources. No archaeological or historical resources were found to have been recorded for the site and surrounding area. The intensive survey also did not find any archaeological or historical resources present. Since it has been highly disturbed, the site is not expected to harbor any unknown resources and no further surveying was found to be necessary.

### **CHECKLIST RESPONSES:**

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

- a. **No impact.** No historic resources were listed in the national, state or local register of historic places for the site and surrounding are. The intensive field survey did not result in the discovery of any historic or archaeological resources. The site is vacant, covered with infill soil, and has been graded. As such, the proposed project would not result in any impacts to significant historic resources.

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

- b. **Less than significant with mitigation.** The cultural resources field survey did not indicate the presence of

any archaeological resources on the project site. A review of cultural resources records research did not indicate any known archaeological resources on or near the project site. In addition, the project site is highly disturbed due to past grading activities and development. However, since the project may involve excavation deeper than previous ground disturbance, there is a remote possibility that new archaeological resources may be uncovered during project excavation and grading activities. Accordingly, the project will be required to implement and comply with mitigation measure CR-1 that requires if unknown resources are uncovered during excavation for the project for the work to stop and the find evaluated by a professional archaeologist. With implementation of mitigation measure CR-1, the project will result in a less than significant impact to archeological resources.

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

- c. **Less than significant.** The City's General Plan does not identify any paleontological resources on site or unique geological resources pursuant to CEQA Guidelines Section 15064.5. The Riverside County General Plan includes an inventory of paleontological and geological resources of the entire County. The inventory map shows Cathedral City as having low potential for finding paleontological resources. In addition, the project site is primarily sandy soils and no rock formations appear to be present on the site that would yield fossils. Therefore, it is unlikely that the project will result in the uncovering of significant paleontological resources and a less than significant impact on paleontological resources would result.

*Disturb any human remains, including those interred outside of formal cemeteries?*

- d. **Less than significant.** There is no indication from the records search and field survey that the project site is located on, or in proximity to a known cemetery and is not expected to disturb human remains. In the unlikely event that human remains are discovered during earth-disturbing activities, the project must comply with the existing regulatory requirements of California Health and Safety Code and the California Public Resources Code, as indicated under RR-1. Compliance with RR-1 will ensure that potential impacts to human remains would be less than significant.

### **Cultural Resources Mitigation Measures**

- CR-1** If during excavation, grading or construction, artifacts or other archaeological resources are discovered, all work in the immediate area of the find shall be halted and the applicant shall immediately notify the City Planner. A qualified archaeologist, meeting the Secretary of the Interior's professional qualifications standards for archaeology, shall be called to the site by, and at the expense of, the applicant to identify the find and propose mitigation if the resource is culturally significant. Work shall resume after consultation with the City of Cathedral City and implementation of the recommendations of the archaeologist. If archaeological resources are discovered, the archaeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Agua Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.
- CR-2** If any archaeological resources are uncovered during site disturbing activities, a tribal representative shall also be contacted and consulted regarding the find. If the resource is found to be significant, the archeologist in consultation with the appropriate tribal representative and City representative shall confer with regard to mitigation.
- RR-1** Pursuant to Section 7050.5 of the California Health and Safety Code, if human remains are encountered during site disturbing/excavation activities, the Riverside County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby areas reasonably suspected to

overlie adjacent remains will occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or are believed to be Native American, he or she shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC will immediately notify the persons it believes to be the most likely descendant (MLD) of the deceased Native American. The NAHC will make a determination of the Most Likely Descendent (MLD). The City and Developer will work with the designated MLD to determine the final disposition of the remains pursuant to CA Public Resources Code Section 5097.98.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS:</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

creating substantial risks to life or property?

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

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## BACKGROUND

Information in this section is based on the *Geotechnical Investigation: Proposed Ecoplex Park Commercial Complex* (Appendix D) report prepared by Sladden Engineering. The report includes a description of the geological setting and geological hazards of the site and includes an analysis of how the hazards will affect the proposed project. The following background also includes a brief description of regulations germane to the project's geological setting.

### Geological Setting

The project site is located in the Coachella Valley portion of the Salton Trough Physiographic Province. The Salton Trough is a geologic structural depression resulting from large-scale regional faulting. The trough is bounded on the northeast by the San Andreas Fault and Chocolate Mountains and the southwest by the Peninsular Range and faults of the San Jacinto Fault Zone. The Salton Trough represents the northward extension of the Gulf of California, containing both marine and non-marine sediments since the Miocene Epoch. Tectonic activity that formed the trough continues at a high rate as evidenced by deformed young sedimentary deposits and high levels of seismicity.

### Seismicity

The City of Cathedral City is located within Southern California, a known seismically active area. Figure GEO-1 shows the known active faults closest to the City and their maximum events. The Coachella Valley is crossed by multiple faults within the Coachella Valley region. The site is located within an active seismic zone and has a high potential to experience strong seismic shaking from area faults during the life of the project.

### Seismically-Induced Geotechnical Hazards

Liquefaction is the total or substantial loss of shear strength of loose, sandy, saturated sediments in the presence of ground accelerant conditions. Liquefaction occurs due to the tendency of these sediments to behave like a liquid substance. Liquefaction can result when all of the following conditions apply: 1) liquefaction-susceptible soil; 2) groundwater within a depth of 50 feet or less; and 3) strong seismic shaking. The General Plan Exhibit V-4 Liquefaction Susceptibility Map shows the site within an area of moderate liquefaction.

Strong ground shaking can cause compaction of soils resulting in settlement of the ground surface. This damages structures and foundations as well as pipelines, canals, and other grade-sensitive structures. The potential for seismic-related settlement of the ground is based on the intensity and duration of ground shaking. General Plan Exhibit V-5 shows the area of the project site as susceptible to seismically induced settlement.

Another result of seismic ground shaking is rock slides. In several areas of Cathedral City, there is a moderate to high potential for seismically induced rock slides and landslides due to location near hillsides and/or mountain slopes. However, the area of the project site is located adjacent to the foothills of the San Jacinto Mountains and therefore has a high susceptibility to landslides. (General Plan Exhibit V-6)

## REGULATIONS AND LAWS

### Alquist-Priolo Earthquake Fault Zoning Act (State)

The Alquist-Priolo Earthquake Fault Zoning Act was enacted in 1972 with the primary purpose of mitigating rupture hazards from surface faults. The main purpose of the Act is to prevent construction of buildings used for human habitation on active faults. The Act requires the state geologist to establish and map zones around active faults and then distribute them to county and city agencies. The Act requires cities to withhold development permits for site within an earthquake fault zone and requires the preparation of site specific reports by licensed geologists to demonstrate that proposed buildings will not be constructed across active faults.

### Seismic Hazards Mapping Act (State)

The Seismic Hazards Mapping Act (the Act) of 1990 addresses non-surface fault rupture earthquake hazards, including liquefaction and seismically induced landslides. The Act requires the state geologist to prepare maps delineating areas prone to ground shaking, liquefaction, and earthquake landslides to assist local governments in land use planning. Cities and counties are required to use the maps in their land use planning and building permit processes.

### Cathedral City General Plan

The City's General Plan Geotechnical Element Exhibit V-3<sup>8</sup> (Faults in the Cathedral City General Plan Area) shows two known fault zones within the City. The San Andreas Fault line is approximately six miles north of the project site, and considered an active fault with respect to the Alquist-Priolo Earthquake Fault Zoning Act. The San Andreas Fault historically has produced moderate to severe earthquakes and the project would be thus subject to secondary effects from earthquakes stemming from this fault. The Garnet Hill Fault is approximately four miles north of the project site.

### California Building Code (CBC)

The primary tool used by the City to ensure seismic safety is the UBC. The CBC contains specific requirements for seismic safety, excavation, foundations, retaining walls and site demolitions. It also regulates grading activities, including drainage and erosion control.

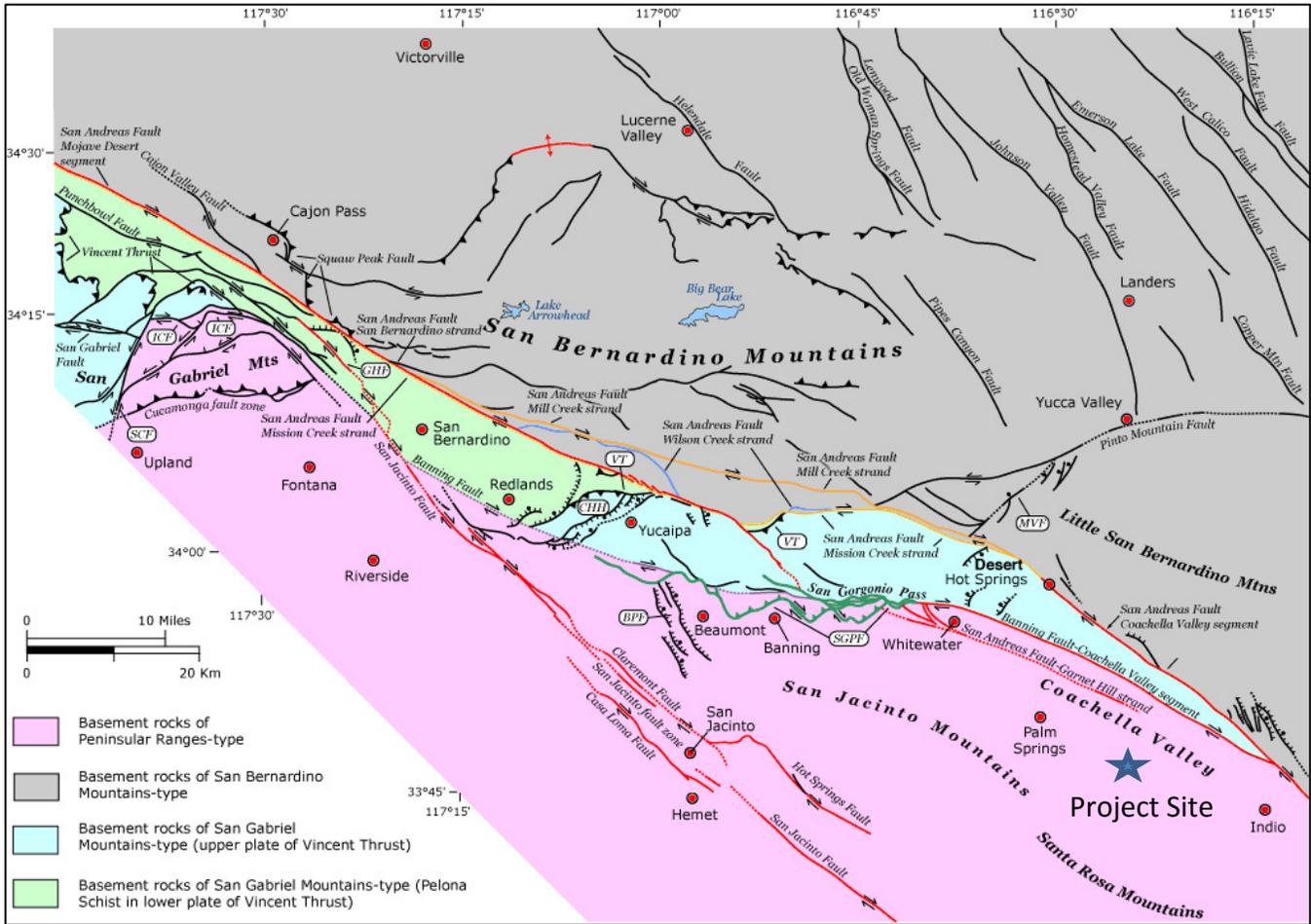
**Table GEO-1: Closest Known Active Faults**

Fault name	Distance (km)	Maximum event
San Andreas – Coachella	12.5	7.2*
San Adreas – Southern	12.5	7.2*
San Adreas – San Bernardino	14.7	7.3*
Burnt Mountain	19.7	6.4
Eureka Peak	23.9	6.4
San Jacinto – Anza	30	7.2
Pinto Mountain	32.9	7
San Jacinto – Coyote Creak	37.3	6.8
San Jacinto – San Jacinto Valley	40.5	6.9
Landers	41.8	7.3
North Frontal Fault Zone (east)	45.7	7.3
Emerson S. – Copper Mountain	49.4	6.9

\*8.2 for multiple serment rupture

<sup>8</sup> P. V-11, City of Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended November 18, 2009

**Figure GEO-1: Map of Regional Faults\***



\*USGS Southern California Geology Areal Mapping Project – San Andreas Fault Zone Coachella Valley Segment Map, USGS website: <https://geomaps.wr.usgs.gov/>

**CHECKLIST RESPONSES:**

*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?*

**a.i) Less than significant impact.** The project site is not within a delineated State of California, Alquist-Priolo Earthquake Fault Zone. Well-delineated fault lines cross through this region as shown on California Geological Survey [CGS] maps of the Coachella Valley; however, no active faults are mapped in the immediate vicinity of the site. According to the geotechnical report prepared for the project no faults are mapped on or projecting towards the site and signs of active surface faulting and secondary seismic effects were not observed during an inspection of the site. Therefore, the risk associated with surface fault rupture or secondary seismic effects were found to be low, and, as a result, the project would result in a less than significant impact from exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

*Strong seismic ground shaking?*

- a.ii) Less than significant impact with mitigation.** The project site is located within an area where strong seismic ground shaking will result from nearby faults. Consequently, earthquakes could affect the stability and structural integrity of the proposed buildings and infrastructure on the site creating property damage and injury to those working at the cultivation facilities.

Although the probability of primary surface rupture is considered low, the potential for ground-shaking hazards caused by earthquakes along regionally active faults exists and would be considered in the design and construction of the project as required by the California Building Code. Compliance with the latest provisions of the California Building Code would ensure that the structures would withstand ground shaking to a certain extent. In addition, mitigation measure GEO-1 requires compliance with any recommendations of a geotechnical investigation required for the project to mitigate earthquake hazards. Therefore, the project would result in a less than significant impact from strong seismic ground shaking with implementation of mitigation

*Seismic-related ground failure, including liquefaction?*

- a.iii. Less than significant impact with mitigation.** According to the County of Riverside, the site as located within a “moderate” liquefaction potential zone. The geotechnical analysis prepared for the project included a review of groundwater maps of the site vicinity and concluded that groundwater conditions would not contribute to liquefaction. Therefore, no mitigation was found to be necessary for liquefaction-related ground failure. In addition, all structures must comply with the engineering design recommendations including removal of the loose fill soil, over-excavation and recompaction of loose soil. Compliance with the geotechnical report recommendations will reduce impacts to less than significant with mitigation.

*Landslides?*

- a.iv. Less than significant impact.** The project site is located at the base of the San Jacinto Mountains. The General Plan Ex. V-6<sup>9</sup> (Areas susceptible to seismically induced slope instability) shows that the project site is within an area of high susceptibility to rockslides and seismically induced mudslides.

However, no signs of slope instability in the form of rock falls, earthflows or slumps were observed on or near the site during a field study conducted by the geological consultant for the project. The geotechnical investigation concluded that that hazards from these events would not be significant. The project will include retaining walls along the southern edge of the developed portion of the site that will protect people using the parking areas from rock slides from seismic events. Therefore, the project would result a less than significant impact resulting from landslides.

*Result in substantial soil erosion or the loss of topsoil?*

- b. Less than significant impact.** The City’s General Plan Wind Hazards Zone map shows the project site, as well as the majority of the City, is located within an area of moderate to very severe wind erosion hazards. Construction of the project would result in disruption of on-site soils and exposure of uncovered soils, thereby increasing the potential for wind- or water-related erosion and sedimentation until the construction is completed. In accordance with the South Coast Air Quality Management District Rules 403 and 403.1 pertaining to fugitive dust, the project developer will be required to submit a fugitive dust control plan to

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<sup>9</sup> P. V-18, City of Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended November 18, 2009

the City for approval before issuance of grading permits. The plan must contain “best available control measures” that will avoid or minimize soil erosion caused by high winds. After construction, the site soils will be stabilized long term by landscaping, paving, and structures. In addition, the project would be required to submit a blowsand/erosion prevention plan to the City before grading permits can be issued. Consequently, the project will result in a less than significant impact from soil erosion and loss of topsoil.

*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?*

- c. **Less than significant with mitigation.** The geological report prepared for the project concluded that the site does not have liquefaction or landslide hazards. The potential for other geologic hazards (e.g., lateral spreading, subsidence, or collapse) would be specific to soil characteristics at the site. Subsidence is considered a regional issue due to the groundwater pumping in the Coachella Valley exceeding groundwater recharge. As such, regional subsidence is the responsibility of the Coachella Valley Water District which has committed to resolving the issue on a regional level. However, at the project site level no indication of subsidence was observed at the site.

The City requires a geotechnical/soils investigation to evaluate the potential for seismically induced settlement. The project would be required to comply with recommendations in the report and all applicable standards in the California Building Code and pertinent building code requirements of the City.

Mitigation Measure GEO-1 requires that the project demonstrate that all recommendations contained in the report have been included in the construction design. As such, the project will result in a less than significant impact with the incorporation of mitigation relating to unstable soils, 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.

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

- d. **Less than significant impact.** The City’s General Plan states that expansive soils (i.e. soils that expand due to water intake), can cause pressure on loads placed on them, including buildings, and can result in structural damage. According to the City’s General Plan Geotechnical Element<sup>10</sup>, there is a relatively minor amount of expansive soils in the City and that expansive soils are not considered a hazard within the City. In addition, the geotechnical investigation prepared for the project found that materials underlying the site have a very low expansive potential and risks associated with structural damage from location of buildings on expansive soils on the site is negligible. Therefore, the project would result in a less than significant impact from location of buildings on expansive soils.

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

- e. **No impact.** The project would connect to the existing sewer system and would not involve the use of septic tanks or an alternative wastewater disposal system. Therefore, the project would result in no impacts from location on soils incapable of supporting septic tanks, or alternative waste-water disposal systems.

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<sup>10</sup> p. V-5 to V-6, City of Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended November 18, 2009

**MITIGATION MEASURES**

**GEO-1:** Before issuance of building permits, the project applicant shall submit plans to the City Engineer for review and approval demonstrating project compliance with the most recent California Building Code seismic requirements and the recommendations of the geotechnical report for the project. All soils engineering recommendations and structural foundations shall be designed by a licensed professional engineer. The approved plans shall be incorporated into the proposed project. All on-site engineering activities shall be conducted under the supervision of a licensed geotechnical engineer.

**STANDARD CONDITIONS OF APPROVAL**

- A. All grading permits must include a blowsand/erosion removal and prevention plan.
- B. Landscaping, plant material, and hardscape are required to withstand high winds and the potential accumulation of blowsand.

**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Greenhouse Gas Emissions Analysis**

Greenhouse gas emissions (GHG) were required to be addressed in CEQA documents beginning in 2007 with the State of California’s adoption of SB 97. The *Ecoplex Park Air Quality and Global Climate Change Impact Analysis* (Appendix A) was prepared for the project to analyze the project-related GHG impacts as required by CEQA. The following discussion and analysis are based on the information in the report.

**Existing Conditions**

Climate Change Background

Gases that trap heat in the atmosphere are known as Greenhouse Gases (GHGs) that are believed to be responsible for the global average increase in the surface temperature of the earth and associated impacts through climate change. The release of GHGs into the atmosphere has become a worldwide concern since the quantity of GHGs is known to have increased significantly during the 20<sup>th</sup> century. California state law defines

GHGs as water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ozone (O<sub>3</sub>), and chlorofluorocarbons (CFCs), which act as effective global insulators, reflecting visible light and infrared radiation back to earth. Most scientists agree that human activities, such as producing electricity and driving internal combustion vehicles, have contributed to the elevated concentration of these gases in the atmosphere that is referred to as the “greenhouse effect”.

#### Climate Change and Greenhouse Gases Regulations and Impacts in California

Carbon dioxide is the primary GHG that has raised global warming concerns. The year 2004 saw the State of California generating 492 million metric tons of carbon dioxide equivalent (CO<sub>2</sub>E). In 2013 the State of California generated an overall decrease of 7% since 2004. During the 2000 to 2013 period, per capita GHG emissions in California have continued to drop from a peak in 2001 of 14.0 tons per person to 12.0 tons per person in 2013; representing a 14% decrease. GHG emission reductions are attributed to energy conservation measures such as use of more fuel-efficient vehicles, energy-efficient appliances and building materials that are prescribed under Title 24 of the California Building Code.

Debate continues over the potential effects of climate change, but there is a general consensus that the levels of emissions need to be reduced in order to minimize air pollution and limit the amount of carbon dioxide and other pollutants that are released into the atmosphere.

#### Regulatory Setting

A detailed background and review of the current federal and state laws and regulations applicable to greenhouse gas emissions is included in the project *Air Quality and Global Climate Change Impact Analysis* report found in Appendix B. The analysis for the project is restricted to GHGs identified by AB 32 and the CEQA Guidelines (Section 15364.5), which include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

#### SCAQMD Threshold Development

Currently there are no adopted significance thresholds for GHGs. However, the SCAQMD has established recommended significance thresholds for greenhouse gases for local lead agency consideration (“SCAQMD draft local agency threshold”). SCAQMD has published a five-tiered draft GHG threshold that includes 10,000 metric tons of CO<sub>2</sub>e per year for stationary/industrial sources. Tier 3 is anticipated to be the primary tier by which the SCAQMD will determine significance for projects. A project’s construction-related emissions are averaged over 30 years and added to a project’s operational emissions.

#### CHECKLIST RESPONSES:

- a. **Less than significant impact.** The project is expected to generate GHG emission from area sources, energy use, mobile sources, waste, water, and construction equipment. CalEEMod version 2016.3.1 was used to estimate on-site and offsite GHG emissions from construction and operation of the proposed project. Refer to the air quality discussion in Section 4.1 of the air quality and GHG report in Appendix B for assumptions in the modeling of emissions of criteria air pollutants and greenhouse gases. The project emissions were compared to the SCAQMD’s industrial threshold of 10,000 MTCO<sub>2</sub>e per year.

**Table GHG 1: Project GHG Emissions<sup>11</sup>**

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO <sub>2</sub>	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
Area Sources <sup>2</sup>	0.00	0.00	0.00	0.00	0.00	0.00
Energy Usage <sup>3</sup>	0.00	150.99	150.99	0.01	0.00	151.65
Mobile Sources <sup>4</sup>	0.00	361.53	361.53	0.02	0.00	362.06
Waste <sup>5</sup>	10.94	0.00	10.94	0.65	0.00	27.09
Water <sup>6</sup>	3.19	41.68	44.86	0.33	0.01	55.50
Construction <sup>7</sup>	0.00	8.28	8.28	0.00	0.00	8.32
Sequestration from trees <sup>8</sup>						-1.06
<b>Total Emissions</b>	<b>14.12</b>	<b>562.48</b>	<b>576.60</b>	<b>1.00</b>	<b>0.01</b>	<b>604.61</b>
SCAQMD Industrial Threshold						<b>10,000</b>
Exceeds Threshold?						<b>No</b>

**Operation and Construction Greenhouse Gas Emissions**

Table GHG-1 shows the projected GHG emissions (construction emissions are averaged over 30 years and included with operational emissions as mentioned above) of GHGs from construction and operation of the proposed project. Five emission source categories were included in the analysis that contribute either directly or indirectly to operational GHG emissions, including energy/electricity usage, water usage, solid waste disposal, area emissions, and mobile sources. As shown in the table, the project’s unmitigated GHG emission would be 604.61 metric tons of CO<sub>2</sub>e per year. According to the thresholds of significance, a cumulative global climate change impact would occur if GHG emissions resulting from the project would exceed 10,000 MTCO<sub>2</sub>e per year for industrial projects. Therefore, operation of the project would result in a less than significant cumulative impact to global climate change.

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

**b. Less than significant impact.**

**Cathedral City Climate Action Plan (CAP)**

Cathedral City adopted a CAP in November 2013 to establish goals and policies that incorporate environmental responsibility into the daily management of residential, business, building, transportation, municipal, hospitality, recreation, and education. The plan includes development and implementation of policies directed at reducing GHG emissions within the City. The CAP will implement 77 measures in three phases over the course of eight years to reduce GHG emissions to coincide with the State’s goal of reducing GHGs within California. The CAP provides a framework for reducing GHG emissions citywide and managing resources to best prepare for a changing climate. The CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California and presents strategies that will make it possible for the City to meet the recommended targets. The CAP also suggests best practices for implementation and makes recommendations for measuring progress.

Cathedral City’s 2010 inventory amounted to 236,863 MT CO<sub>2</sub>e of total emissions, which is approximately 53,439 MT CO<sub>2</sub>e above the 1990 baseline emissions. Following the state’s adopted AB 32 greenhouse gas reduction target, the City has set a goal to reduce emissions back to 1990 levels by 2020. With

<sup>11</sup> Kunzman Associates, Inc., *Ecoplex Park Air Quality and Global Climate Change Impact Analysis*, March 31, 2017, p. 61

implementation of the 77 measures, GHG emissions reductions for the City are expected to be in line with those of AB 32.

Additionally, as the project meets the current interim emissions targets/thresholds established by SCAQMD (as described in Section V, Air Quality Standards), the project would also be on track to meet the reduction target of 40 percent below 1990 levels by 2030 mandated by SB-32. Furthermore, all of the post 2020 reductions in GHG emissions are addressed via regulatory requirements at the state level and the project will be required to comply with these regulations as they come into effect.

The CAP does not set a threshold for GHG emissions for private development projects. Although the measures proposed in the CAP for improving a building's energy efficiency were primarily voluntary at the time of adoption of the plan, some of the measures have become requirements. For example, the CAP promoted, but did not require, compliance with the Green Building Standards Code, to achieve greenhouse gas reductions. Subsequently to the CAP adoption by the City, the Title 24 green building standards went into effect on January 1, 2017 and all new non-residential projects are now required to comply with these standards. Therefore, the project in turn will be consistent with one of the CAP's primary means of achieving reductions in GHGs for private development.

At a level of 604.61 MTCO<sub>2e</sub> per year, the project's GHG emissions fall well below the SCAQMD tier 3 threshold of 10,000 metric tons per year of CO<sub>2e</sub> for industrial uses and is in compliance with the reduction goals of the City's Climate Action Plan, AB-32 and SB-32. Furthermore, the project will comply with applicable Green Building Standards and City of Cathedral City's policies regarding sustainability (as dictated by the City's General Plan); further analysis is not warranted.

Therefore, implementation of the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. There would be no impact.

### **Regulatory Requirements**

RR 7-1 Design and construction of the proposed project will comply with the Title 24 Energy Efficiency Standards. These standards prescribe required energy efficient measures, including ventilation, insulation, and construction and the use of energy saving appliances, heating, ventilation and air conditioning systems, water heating, and lighting.

RR 7-2 Design and construction of the proposed project will comply with the Title 24 Green Building Standards (CalGreen Code). These standards prescribe measures for water conservation, building commissioning, clean vehicle parking, and solid waste recycling, among others.

**VIII. HAZARDS AND HAZARDOUS MATERIALS:**

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Background

The Cathedral City General Plan environmental hazards element states that there are no large industrial or commercial users of hazardous materials in the City and only a few identified hazardous or toxic material generators in the City, including commercial, quasi-industrial, and medical operations that could be associated with accidental spills and illegal dumping. In addition, gasoline stations, auto repair shops, dry cleaners and medical clinics could also contribute to accidental spills and illegal dumping. Underground storage tanks for fuel storage also have the potential to leak causing hazardous soils and contaminated underground water.

A Phase I Environmental Site Assessment (Attachment E) by Sladden Engineering was prepared in March 2017 for the project applicant. The assessment included a search of environmental databases and a field survey to determine whether the site and surrounding area contained hazardous materials that would pose an environmental risk. No environmental risks were found that would pose an environmental risk.

## Cathedral City Medical Cannabis Regulations

Pursuant to Cathedral City Municipal Code (CC MM) Code section 5.88.065 subsection A.18, all medical cannabis businesses are required to dispose of chemical, dangerous or hazardous waste in accordance with federal, state and local laws. This would include disposal of all pesticide or other chemicals used in the cultivation process.

Section 9.108.050 of the CC MC requires that all proposed medical cannabis businesses obtain a conditional use permit showing how the project will be conducted in accordance with all state, and local laws pertaining to the disposal of hazardous materials generated by the project. An environmental plan is required for the project, “.. indicating how cultivation and/or manufacturing will be conducted in accordance with state and local laws related to hazardous material disposal, land conversion, grading, electricity usage, water usage, and agricultural discharges.” CC MC

This section also requires the applicant to prepare an emergency response plan, “... which complies with Title 8 of this code and California Fire Code Section 401, and sets out standard operating procedures to be followed by all individuals in case of a fire, chemical release, chemical spill, or other emergency.”

## CHECKLIST REPONSES:

*Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

*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?*

- a. **Less than significant impact.** Development of the site and operation of the proposed project will result in hazardous waste materials being stored, transported, and used on the project site. The project involves the development and operation of the medical cannabis cultivation facility. Project operations may involve the use of fertilizers, pesticides and other chemicals in the cultivation and treatment of medical cannabis and may involve the transportation of cultivation waste containing hazardous materials, such as pesticides that cannot be removed from the waste, to disposal sites. The project will be required to operate in accordance with all federal, and state laws regarding the transportation and disposal of hazardous waste. Use and storage of hazardous materials will be required to be conducted in accordance with state and local regulations pertaining to medical cannabis.

During construction of the proposed project, petroleum-based fuels and hydraulic fluid will be used by the construction equipment where there is a possibility of accidental release. However, risk from accidental spills would not be significant due to the small volume and low concentration of hazardous materials used

during construction. During construction, BMPs will be required to be implemented by the City as well as standard construction controls and safety procedures that would avoid or minimize the potential for accidental release of these substances. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, state, and federal law. The use and handling of hazardous materials during construction would occur in accordance with applicable Federal, State, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements and Riverside County Environmental Health and Fire Department.

Operation of the project will be required to comply with all federal, state and local laws and regulations pertaining to the transportation, use and storage of hazardous substances. All construction activities will be required to comply with federal, state and local laws and regulations pertaining to the use and handling of hazardous materials. Therefore, the project will result in a less than significant impact resulting from the routine transport, use, or disposal of hazardous materials on the project site both during construction and after project implementation.

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

- c. **No impact.** There are no schools located within one-quarter mile of the project site. The nearest school is the Kings Schools campus located approximately 1.25 miles northwest of the project site. Therefore, the project will not result in hazardous materials-related impacts on a school.

*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?*

- d. **Less than significant.** A Phase I Environmental Site Assessment (ESA) (Attachment D) was prepared for the project to determine if there are any recognized environmental conditions (REC) associated with the project site. The ESA included the results of a records search performed by Environmental Data Resources (EDR) of federal, state and local databases for RECs for the site and surrounding area (one mile radius). Those databases included all of the lists prepared pursuant to Government Code Section 65952.5 as well as other relevant lists of sites that could have RECs that would impact the site. In addition, a physical survey was conducted by a professional geologist of the site and surrounding area to determine the presence of hazardous conditions involving leaks, spills, etc.

The physical inspection of the site and historic records did not result in any findings of environmental conditions of concern. The project site is not on any list prepared pursuant Government Code Section 65962.5. A number of sites in the surrounding area were found on lists of sites with possible environmental concerns. However, none of those sites were found to pose a risk to the project site. As a result, the project would not create a significant hazard to the public or the environment. Therefore, the project would result in a less than significant impacts from hazardous materials on the site or within the surrounding area that would result in a significant hazard to the public or the environment.

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

- e. **Less than significant impact with mitigation.** The project site is approximately two miles south of the Palm Springs International Airport. The 2004 Riverside County Airport Land Use Compatibility Plan (the Plan) establishes land use policies for development in the vicinity of airports within Riverside County. The Plan policies are applicable to land use compatibility for areas within an airport's "influence". The project site is located within the Palm Springs International Airport area of influence. The Riverside County Airport Land

Use Commission (ALUC) is responsible for reviewing projects for consistency with the Plan for all development projects in Cities without a General Plan Element that is consistent with the Plan. Since Cathedral City's General Plan has not been revised to be consistent with the Plan, the project was submitted to ALUC for review and approval.

On March 22, 2017, ALUC found that the project to be consistent with the 2005 Palm Springs International Airport Compatibility Plan subject to conditions of approval. ALUC's conditions of approval are included as mitigation measures HAZ-1 through HAZ-5. Therefore, the project will result in a less than significant impact on people residing or working within the project area due to safety hazards from location within an airport land use plan with implementation of mitigation measures.

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

- f. **No impact.** There are no private airstrips within the vicinity of the project site; therefore, no impacts would result from the implementation of the proposed project.

*Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

- g. **Less than significant impact.** The General Plan Preparedness Element<sup>12</sup> states that City is a member of the Riverside County Emergency Services Organization and has also developed its own Emergency Operations Plan that would plan for different types of emergencies. Construction of the proposed project may require some temporary work within the public right-of-way. However, any street closures would only include one lane and work in the right-of-way would be required to be reviewed and approved by the City's Public Works Department and alternative routes provided as needed. Fire and Police Department personnel would also be notified of any street closures. In addition, the project must be reviewed by the City's Fire Department before development to ensure proper Fire Department access is provided to the project site and surrounding areas after construction. Therefore, the project would result in a less than significant impact to emergency response or emergency evacuation plans.

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

- g. **No impact.** The project site is located within an urbanized area and is not near any wildlands. The State of California Department of Forestry and Fire Protection (CDFFP) website provides maps that display areas at high risk for wildlands fires. The project site is not located within an area at high risk for wildlands fires as shown on the CDFFP maps. Therefore, the project would not result in any impacts relating to exposure of people or structures to significant risk from wildlands fires.

#### **Mitigation Measures:**

**HAZ-1:** Any outdoor lighting installed shall be hooded or shielded to prevent either spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

**HAZ-2:** The following uses shall be prohibited:

- a. Any use that would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following

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<sup>12</sup> City of Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended November 18, 2009

takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational light or visual approach slop indicator.

- b. Any use that would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- c. Any use that would generate smoke or water vapor or that would attract large concentrations of birds, or that may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sun flower, and row crops, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, and construction and demolition debris facilities.)
- d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

**HAZ-3:** A “Notice of Airport in Vicinity” shall be provided to all potential purchasers of the property and tenants of the buildings.

**HAZ-4:** Any new retention or detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more) and to remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

**Regulatory Requirements:**

- RR 1. During grading, construction, and maintenance activities, the construction contractor and the contractor shall comply with existing regulations regarding hazardous material use, storage, disposal, and transport so that no major threats to public health and safety are created. These regulations include the Toxic Substance Control Act, Hazardous Material Transportation Act, Resource Conservation and Recovery Act, California Hazardous Waste Control Act, Certified Unified Program Agency, and California Accidental Release Prevention Program.
- RR-2. All operational processes and activities shall comply with state and local regulations pertaining to the storage and use of medical cannabis cultivation.
- RR-3. The transportation and disposal of hazardous waste from operation of the project shall comply with all applicable federal, state and local regulations pertaining to transportation and disposal of hazardous waste generated by the project.

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

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

flows?

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

j) Inundation by seiche, tsunami, or mudflow

**Setting**

The project involves subdivision of a 2.8-acre parcel into two parcels of 1.12 acres and 1.69 acres in size, and construction of two warehouse style buildings to be used for medical cannabis cultivation. The project site is an irregularly shaped property covered with infill soil to a depth of approximately 10 feet across the majority of the site. The triangular portion south of the pipeline easement is rocky outcroppings.

The project site is vacant and undeveloped. The property is located at an elevation of approximately 354 feet above sea level. The site slopes moderately from the south and west towards the east and north. Groundwater is assumed to be approximately 100 below ground level.

**Regulatory Background**

The Federal Clean Water Act (CWA) provides the statutory basis for the National Pollutant Discharge Elimination System (NPDES) permit program which controls water pollution by regulating point sources that discharge pollutants into waters of the United States. The CWA allows for the delegation of certain responsibilities of water quality control and water quality planning to the states. California’s Regional Water Quality Control Boards (RWQCB) implement portions of the CWA, such as the NPDES program. The Porter-Cologne Water Quality Control Act establishes the responsibilities and authorities of California’s nine Regional Water Quality Control Boards (RWQCB).

The City of Cathedral City is located in the Colorado River Basin RWQCB, Region 7. The Colorado River Basin Region covers approximately 20,000 square miles in the southeastern portion of California. It includes all of Imperial County and portions of San Bernardino, Riverside, and San Diego Counties. It is bounded on the east by the Colorado River; to the south by the Republic of Mexico; the west by the Laguna, San Jacinto, and San Bernardino Mountain Ranges; and to the north by the New York, Providence, Granite, Old Dad, Bristol, Rodman, and Ord Mountain Ranges. Each regional water quality control board is responsible for preparation of water quality control plans for their region that set water quality standards for surface waters and groundwater. The RWQCB prepares the Water Quality Control Plan that sets the regulatory standards for water quality in the Colorado River Basin.

**Local Regulations**

Cathedral City has integrated water conservation and irrigation principles into its Design Guidelines. In addition, the City adopted the Water Efficient Landscape Ordinance which adopts by reference CVWD ordinance no. 1302.1, which provides landscape and irrigation design criteria for the ordinance. The goal of the ordinance is to preserve water in the region through strict landscape design criteria. All landscape plans for new development must be approved by the CVWD as consistent with the ordinance before installation.

**Regional – Desert Water Agency (DWA)**

The project site is located within the DWA’s jurisdiction. The DWA must provide a preliminary approval of the project attesting to water supply availability before it is approved by the City.

## Checklist Responses:

*Violate any water quality standards or waste discharge requirements?  
Otherwise substantially degrade water quality?*

### **a. & f. Less than significant impact.**

#### **Construction Activities**

The RWQCB regulates discharges of groundwater from construction activities. Short-term construction activities for the project have the potential to impact surface water quality as a result of minor soil erosion during grading and soil stockpiling, subsequent siltation, and conveyance of other pollutants into local storm drains. Storm Water Pollution Prevention Plans (SWPPPs) are a requirement of the National Pollutant Discharge Elimination System (NPDES). A SWPPP addresses all pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity and controlled through the implementation of Best Management Practices (BMPs). Before start of construction, the project developer would be required to file a Notice of Intent with the California State Water Quality Control Board which informs the board that the developer has determined their facility is required to prepare a SWPPP and that a SWPPP will be prepared and implemented for the construction phase of the project. As such, the construction of the project will be in compliance with NPDES requirements relating to discharges from construction sites.

#### **Sewer**

All new development within Cathedral City is required to connect to the sewer system. The Desert Water Agency (DWA) operates the sewer system whereby project wastewater will be conveyed to a wastewater treatment plant that is operated by the Coachella Valley Water District (CVWD). The DWA and CVWD implement all of the requirements of the RWQCB Water Quality Management Plan as they relate to wastewater discharge and water quality standards. As the project will be required by the City to connect to the sewer system regulated by the DWA and CVWD, the project will be consistent with those water quality standards or waste discharge requirements implemented by the DWA and CVWD.

#### **Water Quality Management Plan**

Cathedral City requires the preparation of a Water Quality Management Plan (WQMP) for certain priority projects such as the proposed project. The WQMP is intended to provide information related to the project's generation and mitigation of water quality pollutants and assessment of hydrological impacts. The City requires project developers to submit a project specific WQMP at the time of application for a grading permit. The WQMP contains information related to expected pollutants and hydrology impacts, and must show how the project will comply with the NPDES requirements relating to discharges of Potential Pollutants and Non-Stormwater discharges, and minimization of urban runoff from impacting receiving waters to the Maximum Extent Practicable (MEP).

In summary, the project must comply with all local, state, and regional regulatory standards and permitting requirements regarding water quality and storm water discharge. Before start of construction, the project developer is required to prepare a SWPPP to show how the project will minimize runoff through the use of BMPs. In addition, the developer's project-specific WQMP will ensure compliance with the RWQCB water quality regulations and minimize runoff. The project will also be required to connect to the sanitary sewer system operated by the DWA which operates in compliance with the RWQCB water quality regulations. Therefore, the project would result in a less than significant impact resulting from violation of any water quality standards or waste discharge requirements and from runoff water that would exceed the capacity

of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff or otherwise degrade water quality.

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

**b. Less than significant impact.** The project involves the construction of two warehouse style buildings for medical cannabis cultivation. The project could result in a demand for water that could interfere with groundwater recharge.

One of the largest demands for water would come from the installation of landscaping. In 2010, the City adopted the Coachella Valley Water District's (CVWD) Ordinance establishing Landscaping and Irrigation System Design requirements intended to conserve water in the Coachella Valley region through the use of desert landscaping, limited turf areas, and water conservation irrigation techniques. The project landscaping would be required to be consistent with the CVWD landscape ordinance through plan submittal and approval by the CVWD. Onsite buildings would also be constructed pursuant to Title 24 standards which require the implementation of water conservation measures in the construction of new buildings.

Cultivation of medical marijuana is a water intensive use that is roughly equivalent to growing almonds<sup>13</sup> and could have a negative impact on groundwater recharge. Groundwater recharge is a regional problem in the Coachella Valley water basin, which is currently in overdraft. To alleviate groundwater overdraft, the Coachella Valley Water District and Desert Water Agency are currently working together at a regional level to improve the overdraft situation through importation of water from other sources and other water conservation methods.

Water will be supplied to the site by the Desert Water Agency (DWA). This part of the City is covered by the DWA's Urban Water Management Plan 2010 Update, which is a long-term planning document that helps the DWA plan for current and future water demands. Before approval of the project, the developer/project applicant must show proof that the project has received preliminary approval from the DWA indicating sufficient water supplies are available for the project's needs in the form of a "Will Serve" letter. In a letter dated December 21, 2016, the DWA, attests that there is sufficient water supplies available for the project for both normal use and fire protection subject to applicable rules, regulations, ordinances, and orders when the once the DWA required facilities are installed. Therefore, the project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge and a less than significant impact will result.

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

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

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

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<sup>13</sup> Ingraham, Christopher, "Forget almonds: Look at how much water California's pot growers use", Washington Post, July 26, 2015

**c., d. & e. Less than significant impact.** Short-term construction activities have the potential to impact surface water quality as a result of minor soil erosion during grading and soil stockpiling, subsequent siltation, and conveyance of other pollutants into local storm drains. Post construction, the project would involve the introduction of impervious surfaces on a currently partially unimproved site. As such, the project will result in the increase in surface runoff and some alteration of an existing drainage patterns on the site. There are no streams or rivers on or adjacent to the property.

Activities that have the potential to discharge pollutants into the waters of the United States are regulated under the authority of the federal Clean Water Act's National Pollution Discharge Elimination System (NPDES) permit program. In California, the NPDES permit program is administered through the State Water Boards. Construction-related impacts will be reduced through the implementation of measures to reduce runoff during construction through the implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff.

Cathedral City requires the submittal of a Water Quality Management Plan (WQMP) before construction of projects that meet certain criteria in compliance with the NPDES permit program. Since it meets at least on one of those criteria, the project will be required to prepare a WQMP to show how storm water will be retained on site after construction. With the implementation of the WQMP, the project will be in compliance with NPDES permit program requirements and result in a less than significant impact from erosion or siltation, flooding and polluted runoff or otherwise degrade water quality.

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

**g. No impact.** The project involves construction of two warehouse buildings for medical cannabis cultivation and does not involve the construction of housing. Therefore, the project will not result in any impact related to location of housing within a 100-year flood zone.

*Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

**h. Less than significant impact.** The project involves the proposed subdivision of a 2.8-acre property into two lots and construction of two warehouse style buildings on the new parcels for the purpose of medical cannabis cultivation. The project site is not located within a 100-year flood hazard area. The project site is located within Flood Hazard Zone X as indicated on the FIRM Panel 06065C1586G, which FEMA indicates is an area of minimal flooding. Therefore, the project would not result in placement of structures within a 100-year flood hazard area and would have a less than significant impact.

*Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

**i. Less than significant impact.** The Eagle Canyon Dam is located approximately 500' southwest of the project site at the base of the south-facing Santa Ana Mountains. Therefore, the project site is located in an area where there is some potential for flooding to occur as a result of an unlikely event of failure of the dam caused.

The purpose of the dam project was to alleviate flooding from Eagle Canyon, a primary drainage point from the south-facing Santa Rosa Mountains. The drainage area from Eagle Canyon runoff included a portion of the project site so failure of the dam has the potential to cause downstream flooding at the project site. Construction for the Eagles Canyon Dam was completed in 2015. An EIR prepared for the proposed dam analyzed the potential for failure of the dam and resultant downstream flooding. The design of the dam was

analyzed by various engineering experts for its potential to fail due to design flaws. Section 3.6-7 of the DEIR states as follows, “The design of the dam was based on discussions with the District and the State Division of Safety of Dams (DSOD). In addition, the design considered the results of the project’s hydrology and hydraulic analyses, the interpretation of the foundation conditions, the available borrow materials, the need to control seepage through the foundation, abutments and embankment, and the importance of providing a section which meets commonly accepted static and seismic stability analysis criteria. The dam, the foundation of the dam, and the abutments would be properly designed to be safe under static and earthquake conditions. The slopes of the dam and debris basin would be stable at the end of construction, under full storage, steady seepage conditions, rapid drawdown conditions, and pseudostatic (seismic resistance) conditions.” (p. 3.6-27, *DEIR for the Eagle Canyon Dam*) Based on the engineering analysis, it was concluded in the DEIR that no flooding impact would result from dam failure due to settlement, erosion, seepage or seismic deformation. Therefore, the project would result in a less than significant impact from exposure to people or structures to a significant risk from flooding as a result of dam failure.

*Inundation by seiche, tsunami, or mudflow*

- j. **Less than significant impact.** Tsunamis are large ocean waves resulting from earthquake or volcanic activity that can have devastating consequences when they reach shore. The project site is located over 75 miles from the Pacific Ocean and is not in an area prone to tsunamis as determined by the California Department of Conservation.

Seiches are seismically induced oscillation of sloshing of water within an enclosed basin such as a reservoir, lakes and harbors. Damage from failure of large bodies of enclosed water may result in inundation of land and structures below them. The risk from seiches on future development can be lessened by design elements for the reservoirs.

The Eagle Canyon Dam located approximately 500 feet southwest of the project site was completed in September 2015. The dam was constructed to alleviate flooding from Eagle Canyon, a primary drainage point from the south-facing Santa Rosa Mountains. The EIR prepared for the Eagle Canyon Dam analyzed the potential for a seiche produced by an earthquake to impact the areas downstream from the dam. It was found there was some potential for a seiche from an earthquake-induced wave sloshing water over the dam when it was full from a major storm event. The Eagle Canyon Dam DEIR states, “Also, the likelihood that a seismic event will occur when the temporary retention basin is full of water is unlikely. If the two events did occur simultaneously, a seiche could occur within the basin resulting in flooding downstream from the dam, but this is expected to be mitigated by spillway design.” (p. 31, *DEIR for the Eagle Canyon Dam and Debris Basin*). Therefore, the project would result in a less than significant impact from a seiche.

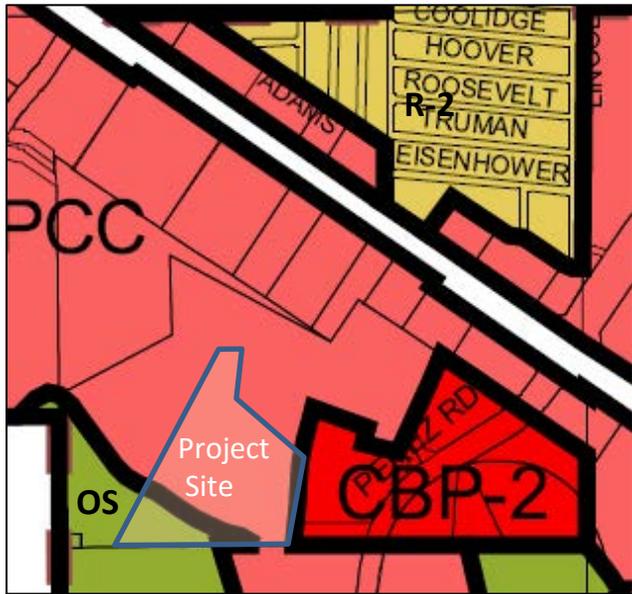
**X. LAND USE AND PLANNING:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is an approximately 2.8-acre property that is proposed to be subdivided. Two warehouse type buildings will be constructed as part of the project for the purpose of medical cannabis cultivation. The majority of the project site is zoned Planned Community Commercial (PCC) and is located within the CG (General Commercial) General Plan land use designation. The triangular portion at the southern end of the site is zoned OS (Open Space). A 30-foot-wided easement for the Riverside County Flood Control divides the PCC-zoned portion from the triangular portion in the OS zone. The easement overlies an overflow drainpipe from the Eagle Canyon Dam to the southwest. Only the PCC-zoned portion of the site is proposed to be developed.

The project site is surrounded by commercial development on the north and east. The areas adjacent to the south and southwest are zoned OS and beyond those properties are the San Jacinto Mountains, which are part of the Santa Rosa and San Jacinto Mountains National Monument. Like the project site, the areas adjacent to the west and northwest are zoned PCC and are undeveloped. The areas to the east and southeast are developed with auto repair shops that front on Perez Road. These properties are zoned CBP-2 (Commercial Business Park).



**Figure LU-1:** Zoning Map of Project Site and Surrounding Area

**Agua Caliente Band of Cahuilla Indians (ACBCI) Reservation**

The project site is located within the boundaries of the ACBCI Reservation. The Agua Caliente Planning and Development Department has a standing agreement with the City of Cathedral City that gives authority to the city to assign land uses where the Tribal Authority has not assigned land uses. Therefore, in the case of this project site, Cathedral City will act as the agents for administering and assigning land-use designations.

**Agua Caliente Band of Cahuilla Indians, Tribal Habitat Conservation Plan (THCP)**

The Tribal Habitat Conservation Plan formally determines the conservation of the Tribe's Reservation land in and around Palm Springs. The THCP identifies plants, animals and habitat that need to be preserved or protected. It also lays out procedures for mitigation of future land development and determines under what circumstance an “incidental take” can be permitted on the Reservation. The THCP streamlines the Tribe's compliance with the Endangered Species Act. The Tribe is a federally recognized Indian tribe located in Palm Springs, California, with 31,500 acres of reservation lands that spread across Palm Springs, Cathedral City, Rancho Mirage, and into the Santa Rosa and San Jacinto mountains.

**CHECKLIST REPONSES:**

*Physically divide an established community?*

- a. **No impact.** The project involves a land subdivision and construction of two warehouse buildings for the purpose of medical cannabis cultivation. The project site is surrounded by commercial uses on the east and northeast which are within the CBP-2 zone and north, and vacant land to the west which is within the PCC zone. The PCC zone permits a variety of commercial and warehouse uses including marijuana cultivation with the approval of a conditional use permit. The OS portion of the property will remain undeveloped. The CBP-2 zone permits auto repair and light manufacturing and similar uses. Approval of a CUP is required for the proposed cannabis cultivation use and conditions will be placed on the project to ensure compatibility with the surrounding area. The triangular portion at the southern portion of the site will remain undeveloped due to the rocky terrain and slope, which will provide a buffer area to conservation land

further to the south. The proposed use will also be consistent with existing uses and future projects to the west. There are no residential uses in the area. As such, development of the project would be compatible with the surrounding area and would not physically divide an established community.

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

**b. Less than significant impact.** Medical cannabis cultivation requires approval of a CUP to ensure compatibility with surrounding development with conditions of approval. The project will require review and approval by the City's Architectural Review Committee and Planning Commission to ensure consistency with design guidelines and with surrounding development. The project is also consistent with the General Plan land use designation of CG General Plan land use designation, which is intended for a wide variety of commercial uses. In addition, the project is consistent with the following General Plan goals and policies:

"Limit business park and industrial development to those uses which complement the overall economic development goals of the community by enhancing the type and value of new jobs for the community, while assuring that the City's high environmental quality standards are not compromised." (Land Use element, Policy 3, p. III-21)

"In-fill development shall be encouraged on partially built-out subdivided lands, where major investments in streets and infrastructure have already been made, while ensuring the maintenance of the integrity of the neighborhood." (Land Use Element, Policy 2, p. III-16)

The project will provide additional job opportunities for the community and increase the economic viability of the area while ensuring environmental concerns are appropriately mitigated. The project is an infill development that is consistent with existing development in the area.

The project is located with Specific Plan 89-39 which primarily includes requirements for street improvements, sewer connection and utility easements. All applicable requirements of the specific plan will be included as conditions of approval for the project.

As such, the project will be compatible with surrounding development and will result in a less than significant impact from any conflicts with the General Plan, Zoning Ordinance, or specific plan.

*Conflict with any applicable habitat conservation plan or natural community conservation plan?*

**c. No impact.** The project site is located within the Agua Caliente Reservation and is subject to the Agua Caliente Tribal Habitat Conservation Plan (THCP). The goal of the THCP is to conserve open space and protect plant and animal species while providing comprehensive compliance with federal and state endangered species laws. Within the Plan, there are multiple individual designated conservation areas that serve to protect habitat for special status plant and animal species. Only limited development can occur in conservation areas. The proposed project is not within, nor does it abut, a designated conservation area. The project will not have result in any impacts to sensitive species that would require additional consultation and a Section 10(a) permit from the Federal government. (See Biological Resources section for additional information.) Since the site is within THCP boundaries, the developer is required to pay a fee to offset incremental impacts to plants and wildlife protected under the THCP. The THCP fee is required to be paid at the time of project development. As such, the project will be consistent with the THCP and will not result in any impacts to the THCP.

**XI. MINERAL RESOURCES:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

**General Plan**

According to the City’s General Plan, Exhibit IV-10 (Mineral Resources in the Planning Area), the majority of the City including the project site is within Mineral Resource Zone 3 (MRZ-3), which designates areas containing mineral resources where the significance cannot be evaluated from available data. MZ-3 generally refers to areas where development has limited the ability to determine the presence or amount of mineral resources.

**CHECKLIST RESPONSES:**

**a. & b. No impact.** The General Plan Energy and Mineral Resources Element describes sand and gravel, found throughout the valley, as the sole locally important mineral resources. The project site does not have any known mineral resources except for gravel and no mineral production occurs on or adjacent to the project site. Mineral production is not compatible with the project area due to urbanization and location of commercial uses adjacent to the project site. Therefore, the project will not result in any adverse impacts to a significant mineral resource.

**XII. NOISE:** Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is surrounded by commercial and service-oriented uses that include an auto dealership to the north and auto repair businesses to the east. The area to the south is undeveloped conservation land and the area adjacent to the west is undeveloped but located within an area zoned for commercial service uses.

The General Plan defines sensitive uses as including schools, libraries, churches, hospitals and nursing homes. Less sensitive uses include commercial and the least sensitive as industrial uses. The nearest sensitive use is a mobile home park located on the north side of East Palm Canyon Drive approximately 600 feet from the project site.

**Noise Regulations**

- Cathedral City Noise Ordinance (CCMC Chapter 11.96)

- California Noise Insulation Standards (California Administrative Code, Title 25, Chapter 1, Subchapter 1; Adopted February 22, 1974) Article 4. Noise Insulation Standards) regulates interior noise from noise intensives sources such as high traffic roadways.
- Riverside County Airport Land Use Compatibility Plan for Palm Springs International Airport

**General Plan Noise Element**

The General Plan Noise element rates noise environments based on Community Noise Equivalency Level (CNEL) (Dba). CNEL is the average of the intensity of a sound over a 24-hour period with corrections for time of day. Time of day corrections results in the addition five decibels to sound levels in the evening from 7:00 pm to 10:00 pm and the addition of 10 decibels to sound levels from 10:00 pm to 7:00 am. This adjustment is meant to take into account a person’s increased sensitivity to noise during the evening and night hours.

General Plan Noise Element Table V-2 depicts land use compatibility for community noise environments. Normally acceptable noise levels for industrial, manufacturing and agriculture are 50 to 70 CNEL. Normally acceptable noise level for commercial and business environments is between 50 to 70 CNEL.

The Noise Element also includes existing and projected noise contours for major roadways. Table V-3 shows the segment of East Palm Canyon Drive in project vicinity shows the CNEL levels of major roadways segments in 1999 and at General Plan buildout. The following table is an excerpt from that table for the East Palm Canyon Drive segment within the project vicinity.

**Table N-1: 1999 and General Plan Buildout Projected Noise Contours on East Palm Canyon Drive in the Project Vicinity (Distance to CNEL Contours in feet from centerline)**

East Palm Canyon Drive w/o Perez Road					
1999 traffic			General Plan Buildout		
60	65	70	60	65	70
343	160	77	395	186	92

**CHECKLIST RESPONSES:**

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

- a. **Less than significant impact.** The City of Cathedral City General Plan Noise Element provides noise standards intended to guide location of future noise generators. Table V-2 of the Noise Element shows established noise levels for land use compatibility for sensitive uses. The standard for maximum outdoor noise in areas is 55 CNEL (Community Noise Equivalent Level/dBA).

**Construction Noise**

Short-term noise impacts on the surrounding uses would result from project construction where noise is generated by operation of heavy construction equipment. In addition, there are no sensitive uses in the immediate vicinity of the project. The commercial uses to the north of the project site could experience some adverse impacts from noise generated by construction activities. Pursuant to the City’s noise ordinance (CCMC CH 11.96.070), construction noise is exempt from the 55 CNEL noise limits is subject to day and time limits. Per the noise ordinance, construction is limited to the following days and hours:

October 1 through April 30:  
Monday to Friday 7 a.m. to 5:30 p.m.  
Saturday 8 a.m. to 5:00 p.m.  
Sunday no permissible hours

May 1st through September 30<sup>th</sup>  
Monday to Friday 6 a.m. to 7 p.m.  
Saturday 8 a.m. to 5:00 p.m.  
Sunday no permissible hours

Construction of the project is expected with to begin in June 2017 and last approximately one year.

Due to the restricted hours, equipment restrictions, and a relatively short period of construction, noise resulting from construction-related activities is not considered a significant impact.

### **Operational Noise**

Long-term noise impacts would result from operation of the project and from increased traffic generated by the project. The proposed use of the project site as a medical cannabis cultivation that would not involve the use heavy machinery or equipment.

Noise would also be from roof-mounted equipment such as heating and air-conditioning units. The project would involve the use of exterior mechanical equipment located within a cabinet on the west side of the buildings. The west side of the site will have a retaining wall that will reduce noise impacts from the mechanical equipment. Due to the distance of the nearest sensitive use, the project operations would not be expected to impact residents of the mobile home park. Uses on the north include an auto dealership and several auto repair businesses on the east that are not considered noise sensitive.

Some noise would result from the ventilation system, but otherwise the use is not expected to result in significant noise increase that would impact the adjacent auto dealership and auto repair uses. Noise produced by the project would be similar to that of warehouse and light industrial uses. In addition, the project operations would be required to comply with the Cathedral City Noise Ordinance (CCMC Chapter 11.96), which prohibits noise levels in commercial and industrial areas from exceeding 85 dB(A) during daytime hours and 55 dB(A) during evening hours. As the use is an indoor cultivation facility that would operate during normal business hours, operational noise would not be expected to exceed either level.

An increase in traffic volume along East Palm Canyon Drive would result from operation of the project which has the potential to increase noise volumes in the area. The project will add some traffic from employees and truck deliveries. The anticipated number of employees on site would be up to 28 people. No traffic would also result since the project will not include sales to the public. Truck traffic would also be minimal resulting from infrequent deliveries and product shipping. However, existing noise levels along the roadway are already significant. As indicated General Plan Table V-3, in 1999 traffic along East Palm Canyon Drive in the vicinity of the project was 70 CNEL at 77 from the centerline of the road and projected to be 70 CNEL at 92 from the centerline at General Plan buildout. The closes sensitive use is located on the north side of East Palm Canyon Drive approximately 600 feet north of the project site. Therefore, the small amount of traffic expected to be generated at the site would not result in a significant impact on the closest sensitive uses due to distance, existing and project roadway traffic noise, and location.

Project construction noise would be temporary and would be required to comply with the times and days permitted by the City noise ordinance. Project operations would not generate significant noise that would

impact sensitive uses. Traffic generated by the project is expected to be minor and thus would not significantly impact sensitive uses on the north side of East Palm Canyon Drive. Therefore, the project would result in a less than significant impact from noise during construction or operation.

*Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

- b. Less than significant impact.** During construction, nearby commercial uses have the potential to be exposed to excessive vibration from the use of large bulldozers during construction. No pile drivers will be used during construction of the project. The Caltrans *Transportation- and Construction-Induced Vibration Guidance Manual* (Caltrans 2004) shows the vibration damage threshold for continuous/frequent intermittent sources as 0.25 peak particle velocity (PPV) inches/second for historic and old buildings, 0.3 PPV inches/second for old residential structures, and 0.5 PPV inches/second for new residential structures. The same manual shows vibration annoyance potential criteria to be barely perceptible at 0.01 PPV inches/second, distinctly perceptible at 0.04 PPV inches/second and strongly perceptible at 0.10 PPV inches/second.

The Caltrans *Transportation- and Construction-Induced Vibration Guidance Manual* (Caltrans 2004) shows that a large bulldozer would generate approximately 0.089 PPV inches/second when measured at 25 feet. The closest residences are located approximately 600 feet from the construction boundary and may be subject to a worst-case ground borne vibration of 0.089 PPV inches/second.

**Table N-2: Typical Noise Levels of Construction Equipment**

Equipment	Typical Sound Level at 50 feet (dBA)	Exceeds 70 CNEL (Dba) threshold
Air compressors	80 dBA	Yes
Backhoe	80 dBA	Yes
Bulldozer, Concrete mixer, cranes	85 dBA	Yes
Concrete pump	82 dBA	Yes
Dump trucks, tractors	84 dBA	Yes
Excavator, scraper/grader	85 dBA	Yes
Front end loader	80 dBA	Yes
Generators	82 dBA	Yes

Vibration levels associated with construction of the project would be below the damage threshold for new buildings. The use of bulldozers during construction has the potential to produce ground-borne vibration and noise. Although the vibration levels would be distinctly perceptible to nearby commercial uses, ground-borne vibration and noise would be intermittent and temporary during construction. Operation of the project would not involve the use of heavy equipment that would generate vibration. Consequently, the project will result in less than significant impact from ground-borne vibration or noise with mitigation.

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

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

**c. & d. Less than significant impact.** The project would result in construction-related noise impacts from an increase in ambient noise levels from construction activities. However, these would be short-term and intermittent. The project site is vacant and undeveloped and operation of the project would result in an increase in ambient noise levels. However, due to the nature of the proposed use as that similar to a light industrial or warehouse use, noise from project operations would not be expected to significantly increase ambient noise levels during operation. Therefore, the project will result in a less than significant impact from permanent, temporary or periodic increases in ambient noise levels.

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

**e. Less than significant impact.** The project is located within the environs of the Palm Springs International Airport, the closest runway of which is approximately two miles northwest of the project site. As such, the project would be subject to noise from aircraft landing and taking off from the airport. However, the Riverside County Airport Land Use Compatibility Plan for the Palm Springs International Airport shows the project area is located within the 55 CNEL noise contour for both existing and future noise levels. As such noise impacts from the airport would not exceed the 65 CNEL outdoor limits for commercial uses established in the General Plan.

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

**f. No impact.** The project site is not located within the vicinity of a private airstrip. Therefore, the project will have no impact from exposing people residing or working in the project area to excessive noise levels from a private airstrip.

**XIII. POPULATION AND HOUSING:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

Census data estimates that the July 1, 2015 population of Cathedral City would be 53,826 persons.<sup>14</sup> The City’s General Plan estimates that at the time of build-out of the City, the population will have 39,982 dwelling units and a permanent population of up to 121,145. The proposed project involves constructions of two warehouse style buildings with 28,835 square feet and 14,606 respectively. Up to 28 workers are expected to be employed in both buildings. Most are expected to be existing residents in the area. The project could increase the population by people relocating to the City for employment at the medical cannabis facility.

**CHECKLIST RESPONSES:**

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

**a. Less than significant impact.** The project site is an undeveloped infill property and infrastructure to the site mostly exists. The project site will be served from sewer and water located on Margot Murphy Way. Some right-of-way improvements will be constructed along the private street that will include construction of curb and gutter, and sidewalk along the street frontage of the site and vacant property to the north. The project would also contribute to the need for a traffic light at Margot Murphy Way which may indirectly facilitate development of the vacant property to the west to some extent. The increase in population resulting from the project would be minor from additional jobs produced on the project site and indirectly from future development of the vacant land to the west. Therefore, the project would result in less than significant impact on population growth either directly or indirectly caused by the project.

<sup>14</sup> U.S. Census, <https://www.census.gov/quickfacts/table/PST045216/0612048,00>

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

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

**b. & c. No impact.** The project site is undeveloped and vacant. Therefore, development of the project would not result in the removal of housing or the displacement of people that would necessitate the construction of housing elsewhere. The project would result in no impacts to existing housing or the displacement of people that would require construction of replacement housing.

**XIV. PUBLIC SERVICES:** 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:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**CHECKLIST RESPONSES:**

*Fire protection*

a. **Less than significant impact.** The City of Cathedral City operates its own fire and emergency services from three stations located within the City. The City also has its own police force that operates out of the Civic Center. Since the project involves construction of two warehouse style buildings for medical cannabis cultivation on an undeveloped site, the result in a minor increase in the need for police and fire services. The current General Plan (2002, updated 2009) indicates that the existing ratios of firefighters and police to number of residents, (1.0 firefighters to 1,000 residents and 1.5 officers to 1,000 residents respectively) is adequate. The proposed project would not significantly affect those ratios.

*Police protection*

b. The project site is an infill site currently served by the City’s Police and Fire Departments. In addition, the project will be required to provide heightened security measures in compliance with MC Section

58.88.065.20 (Security Requirements) that include security cameras, alarm system, and lighting. The CUP process requires the applicant to provide security plans as part of project approval. Therefore, the project will result in a less than significant impact on fire and police protection services.

*Schools*

- c. **Less than significant impact.** The Palm Springs Unified School District (PSUSD) provides kindergarten through 12th grade educational services and facilities to the City of Cathedral City. The project does not involve the construction of residential uses that would directly increase the student population. The PSUSD requires payment of fees to offset impacts from commercial and residential development on schools. However, commercial rates are lower than residential due to a smaller impact on school facilities. Development of the project would not directly result in additional housing that may negatively impact existing school facilities, and payment of school fees would offset any secondary impacts. Therefore, the project will result in a less than significant impact on schools.

*Parks*

- d. **Less than significant impact.** The General Plan goal is a minimum of three acres per one thousand population. As of the 2009 General Plan update, the City does not have sufficient park space available for its current (2001) population. The project may result in a small increase in use of nearby city parks. However, the project site is close to the Santa Rosa and San Jacinto National Monument that encompasses over 280,000 acres and includes extensive recreational opportunities. The project will result in an additional 28 new employees in the area, which will not significantly affect use of nearby recreational facilities. Therefore, the project will result in a less than significant impact on parks within the project vicinity.

*Other facilities*

- e. **Less than significant impact.** Development of the proposed project is consistent with the PCC zoning district requirements with conditions required by the approval of CUP 17-005 and with the CG General Plan land use designation of the General Plan and development requirements of the PPC zone contained in the Zoning Ordinance. The project site has existing infrastructure and public services. Therefore, the project will result in a less than significant impact on other public facilities.

**XV. RECREATION:**

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The proposed project involves a land subdivision and construction of two warehouse style buildings for the purpose of medical cannabis cultivation. Building A will have 14,606 square feet of floor area on a single level and Building B will encompass 28,838 of floor area on two levels. Approximately 28 employees are expected to work within the buildings. The Santa Rosa and San Jacinto National Monument is immediately south and southwest of the project site. The closest city park is the Town Square located approximately one mile east of the project site.

**CHECKLIST RESPONSES:**

- a. **Less than significant impact.** Construction of the project may temporarily increase demands on nearby recreational facilities by workers. Other than City parks, there are large national parks in the project vicinity that include the Santa Rosa and San Jacinto Mountain National Monument located just south of the project site. The National Monument includes hiking trails. Although the project could result in a minor increase in the use of the nearby parks, it would not cause substantial deterioration of these facilities due to the minor number of workers expected to be employed at the facility and the availability of the extensive recreational opportunities in the National Monument. Therefore, the project will result in a less than significant impact on nearby recreational facilities.
- b. **No impact.** The project does not include the construction of new recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, the project will not result in any impacts resulting from construction or expansion of recreational facilities.

**XVI. TRANSPORTATION/TRAFFIC:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?                       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Background**

The Ecoplex Traffic Impact Analysis by Kunzman Associates, Inc. (Attachment F) was prepared for the project to determine the current and projected future project vehicle trips that would be added to the surrounding street network and whether the number of trips would negatively impact the surrounding street network. The Traffic Impact Analysis (TIA) included an analysis of the project’s impact on street intersections in the area. The TIA determined that there is future need for a traffic signal at the Margot Murphy Way and East Palm Canyon Drive intersection. As such, the TIA includes the proposed project as well as all future projects that could be constructed on the undeveloped property on Margot Murphy Way. This is described as Phase 2 in the TIA and includes the development of an adjacent project to the west that may duplicate this project in size and function and an additional auto dealership type project on the remaining lot at the southwest corner of Margot Murphy Way and East Palm Canyon. The proposed project as described in Chapter 1 of this Initial Study is currently the only project proposed at this time and analyzed by this Initial Study since development of the other vacant undeveloped properties on Margot Murphy Way are only speculative at this time and would not be developed as a direct consequence of the current proposed project. This section provides a summary of the report and the findings presented for the project.

The City of Cathedral City has established Level of Service (LOS) D as the city-wide target for the maximum allowable threshold for the operation of intersections. Therefore, LOS E or F is considered unacceptable level of operation of intersections.

**Environmental Setting**

The project site is located at the terminus of Margot Murphy Way approximately 285 feet from where it intersects with East Palm Canyon Drive. At the recommendation of the City of Cathedral City traffic engineering staff, the following intersections were included for analysis in the TIA:

1. Canyon Plaza (NS) at (East) Palm Canyon Drive;
2. Margot Murphy Way (NS) at (East) Palm Canyon Drive;
3. Perez Road (NS) at (East) Palm Canyon Drive

The location of the studied intersections is shown on Figure T-1.

**Figure T-1: Project Location Map with Studied Intersections**



**Analysis Methodology**

The technique used to assess the capacity needs of an intersection is referred to as the “intersection delay methodology”. To calculate delay, the volume of the traffic using the intersection was compared with the capacity of the intersection. Existing delay and LOS for intersections in the vicinity of the project were based on manual morning and evening peak-hour intersection turning movement counts by the traffic consultant.

**CHECKLIST RESPONSES:**

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

**a. Less than significant impact with mitigation.**

**Existing Conditions**

Existing average daily traffic volumes were obtained from the “2015 Traffic Census Report” by the Coachella Valley Association of Governments and factored from peak-hour counts obtained by the traffic consultant<sup>15</sup>. The existing delay and LOS for the studied intersections are shown in Table T-1. This is a conservative estimate which may overestimate the average daily traffic volumes since public transit was not taken into account. The existing traffic conditions for the studied intersections operate at an acceptable LOS with the exception of Margot Murphy Way and East Palm Canyon Drive.

**Table T-1: Existing Intersection Delay and Level of Service\***

Intersection	Jurisdiction	Traffic Control <sup>3</sup>	Intersection Approach Lanes <sup>1</sup>												Peak Hour Delay-LOS <sup>2</sup>	
			Northbound			Southbound			Eastbound			Westbound			Morning	Evening
			L	T	R	L	T	R	L	T	R	L	T	R		
Canyon Plaza Drive (NS) at: Palm Canyon Drive (EW) - #1	Cathedral City	TS	0.5	0.5	d	1	0.5	0.5	1	2	1	1	1.5	0.5	7.7-A	9.4-A
Margot Murphy Way (NS) at: Palm Canyon Drive (EW) - #2	Cathedral City	CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	27.1-D	49.5-E
Perez Road (NS) at: Palm Canyon Drive (EW) - #3	Cathedral City	TS	1	0.5	0.5	1	0.5	1.5>	2	2.5	0.5	1	2	1	15.1-B	17.2-B

The trip generation for the project are shown in Table T-2 below. Trip generation rates were determined for daily traffic for inbound and outbound trips for the proposed land use. The trip generation was multiplied by the land use quantities to determine traffic volumes. The trip generation for the project cultivation facility was derived based on the maximum number of employees, truck deliveries, and receivable deliveries supplied by the applicant. For a conservative analysis, it was assumed that all employees arrived during the morning peak hour and departed during the evening peak hour. A total of 92 trips are expected to be generated by the project operations, with 25 occurring during the morning peak hour and 25 during the evening peak hour.

The trip reducing potential of public transit was not considered in the TIA. As a result, the project’s traffic calculations are conservative.

**Table T-2: Project Trip Generation**

Land Use	Quantity	Units <sup>1</sup>	Peak Hour						Daily
			Morning			Evening			
			Inbound	Outbound	Total	Inbound	Outbound	Total	
<u>Trip Generation Rates</u>									
Employees <sup>2</sup>	22	EMP	1.00	0.05	1.05	0.05	1.00	1.05	4.00
Deliveries <sup>3</sup>	1	TR	1.00	0.00	1.00	0.00	1.00	1.00	2.00
Receivable Deliveries <sup>4</sup>	1	TR	1.00	0.00	1.00	0.00	1.00	1.00	2.00
<u>Trips Generated</u>									
Employees	22	EMP	22	1	23	1	22	23	88
Deliveries	1	TR	1	0	1	0	1	1	2
Receivable Deliveries	1	TR	1	0	1	0	1	1	2
<b>Total</b>			<b>24</b>	<b>1</b>	<b>25</b>	<b>1</b>	<b>24</b>	<b>25</b>	<b>92</b>

<sup>15</sup> PM Peak Hour (Approach Volume + Exit Volume) x 12 = Leg Volume.

**Opening Year (2019) Traffic Conditions**

To assess project traffic conditions for the 2019 opening year, project traffic was combined with projected traffic volumes without the project. Traffic volumes for the opening year were projected with a portion of growth expected to occur using the Coachella Valley Association of Governments Traffic Model. (For additional explanation on the forecast method refer to Section VI.A of the TIA.) Table T-3 shows the results of the calculations using the intersection delay methodology for opening year 2019 without the project and Table T-4 shows the 2019 traffic volumes with the project. The studied intersections were found to operate at an acceptable LOS with the exception of Margot Murphy Way and East Palm Canyon Drive.

**Table T-3: Opening Year (2019) Without Project Intersection Delay and Level of Service**

Intersection	Jurisdiction	Traffic Control <sup>3</sup>	Intersection Approach Lanes <sup>1</sup>												Peak Hour Delay-LOS <sup>2</sup>	
			Northbound			Southbound			Eastbound			Westbound			Morning	Evening
			L	T	R	L	T	R	L	T	R	L	T	R		
Canyon Plaza Drive (NS) at: Palm Canyon Drive (EW) - #1	Cathedral City	TS	0.5	0.5	d	1	0.5	0.5	1	2	1	1	1.5	0.5	8.0-A	10.2-B
Margot Murphy Way (NS) at: Palm Canyon Drive (EW) - #2 - Without Improvements	Cathedral City	CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	38.0-E	90.3-F
		TS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	3.0-A	3.5-A
Perez Road (NS) at: Palm Canyon Drive (EW) - #3	Cathedral City	TS	1	0.5	0.5	1	0.5	1.5>	2	2.5	0.5	1	2	1	16.8-B	19.8-B

**Table T-4: Opening Year (2019) with Project Intersection Delay and Level of Service**

Intersection	Jurisdiction	Traffic Control <sup>3</sup>	Intersection Approach Lanes <sup>1</sup>												Peak Hour Delay-LOS <sup>2</sup>	
			Northbound			Southbound			Eastbound			Westbound			Morning	Evening
			L	T	R	L	T	R	L	T	R	L	T	R		
Canyon Plaza Drive (NS) at: Palm Canyon Drive (EW) - #1	Cathedral City	TS	0.5	0.5	d	1	0.5	0.5	1	2	1	1	1.5	0.5	8.0-A	10.2-B
Margot Murphy Way (NS) at: Palm Canyon Drive (EW) - #2 - Without Improvements	Cathedral City	CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	41.1-E	98.6-F
		TS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	3.0-A	4.0-A
Perez Road (NS) at: Palm Canyon Drive (EW) - #3	Cathedral City	TS	1	0.5	0.5	1	0.5	1.5>	2	2.5	0.5	1	2	1	17.0-B	19.9-B

<sup>1</sup> When a right turn lane is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicle to travel outside the through lanes.

L = Left; T = Through; R = Right; d = De Facto Right Turn Lane; > = Right Turn Overlap **BOLD** = Improvement

<sup>2</sup> Delay and Level of Service has been calculated using the following analysis software: Vistro, Version 4.00-00. Per the 2010 Highway Capacity Manual, overall average intersection delay and Level of Service are shown for intersections with traffic signal or all way stop control. For intersections with cross street stop control, the delay and Level of Service for the worst individual movement (or movements sharing a single lane) are shown.

<sup>3</sup> TS = Traffic Signal; CSS = Cross Street Stop

The total projected traffic that would be generated by the project is 27 trips during the am peak hour and 49 trips during the pm peak hour during the 2019 opening year. As shown in Table T-4, the evening peak hour

would decline from the current LOS E to LOS F in 2019. However, the TIA analysis found that a traffic signal was not warranted with just the addition of the project traffic for 2019, since the volume of traffic would not significantly increase compared to the project 2019 volume without project traffic. The TIA states as follows, “However, based on traffic signal warrants, and directly considering the intersection volumes, a traffic signal is not warranted.” The project traffic for the opening year is projected to be 24 total trips (12 north bound and 12 south bound), which represents 0.788 percent of all vehicular movements during the evening peak hour. As such, the addition of project traffic to the studied intersections would not have a significant impact on existing traffic for opening year of the project and would not require mitigation.

### Cumulative Impacts

Year 2035 traffic was calculated for the projected 2035 project trips, Phase 2 2035 project trips, and expected future projects in the area. The traffic volumes were calculated using the subregional travel demand model currently used for long-range planning by the City of Cathedral City. The year 2035 traffic model is commonly referred to as the Coachella Valley Association of Governments Traffic Model. The average daily traffic volumes reflect a portion of the areawide growth anticipated to occur between the years 2017 and 2035. The year 2035 intersection delay and LOS for the project plus Phase 2 and areawide growth is shown in Table T-5.

As shown in the Table T-5, the project cumulative traffic would result in a significant increase in the intersection delay and LOS. The TIA concluded that for the year 2035 with project traffic plus Phase 2 and areawide expected traffic volume increase, a traffic signal would be warranted at Margot Murphy Way and East Palm Canyon Drive. The other studied intersections would continue to operate at an acceptable LOS.

The TIA prepared a fair share analysis for the traffic signal warrant for the all phases of the development of the remaining properties on Margot Murphy Way. The fair share analysis shows that the project would contribute 25 trips which represents 11.52 percent of trips during the morning peak hour and 10.73 percent of trips to the intersection during the pm peak hour.

As discussed above, the project would contribute to significant cumulative impact to traffic volumes at the intersection of Margot Murphy Way and East Palm Canyon Drive in the year 2035. A traffic signal was found to be warranted based on the analysis of cumulative traffic volumes at the intersection. Mitigation for the cumulative traffic impact is in the form of payment of a fair share from project traffic for a traffic signal at the location. As such, the project would not result in a significant impact to cumulative traffic with the implementation of mitigation measure T-1.

**Table T-5: Year 2035 with Project Intersection Delay and Level of Service (Phase 1 plus Phase 2 plus areawide projects)**

Intersection	Jurisdiction	Traffic Control <sup>3</sup>	Intersection Approach Lanes <sup>4</sup>												Peak Hour Delay-LOS <sup>2</sup>	
			Northbound			Southbound			Eastbound			Westbound			Morning	Evening
			L	T	R	L	T	R	L	T	R	L	T	R		
Canyon Plaza Drive (NS) at: Palm Canyon Drive (EW) - #1	Cathedral City	TS	0.5	0.5	d	1	0.5	0.5	1	2	1	1	1.5	0.5	8.2-A	12.4-B
Margot Murphy Way (NS) at: Palm Canyon Drive (EW) - #2	Cathedral City	CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	94.9-F	99.9-F <sup>4</sup>
- Without Improvements		TS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	2.9-A	4.6-A
- With Improvements																
Perez Road (NS) at: Palm Canyon Drive (EW) - #3	Cathedral City	TS	1	0.5	0.5	1	0.5	1.5>	2	2.5	0.5	1	2	1	22.6-C	30.5-C

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

**b. Less than significant impact.** Every county in California is required to develop a Congestion Management Program (CMP) that looks at the links between land use, transportation and air quality. In its role as Riverside County's Congestion Management Agency, the Riverside County Transportation Commission (RCTC) prepares and periodically updates the county's CMP to meet federal Congestion Management System guidelines as well as state CMP legislation. RCTC's current CMP was adopted in December 2011.

The RCTC does not require Traffic Impact Assessments for development proposals. However, local agencies are required to maintain minimum level of service (LOS) thresholds included in their general plans. Cathedral City's General Plan has established a minimum threshold of LOS D. Therefore, TIAs on developments are required by the local agencies. The TIA (Appendix E) prepared for the project found that studied intersections operate at acceptable levels of service with the exception of Margot Murphy Way, which currently operates at LOS E. Traffic generated by the project would not result in a significant increase traffic volume at that intersection based on the analysis in the TIA such that a traffic signal would be warranted for opening year 2019.

Local agencies whose development impacts cause the LOS on a CMP street or highway to fall to "F" must prepare deficiency plans. These plans outline specific mitigation measures and a schedule for mitigating the deficiency. The nearest CMP street or highway is Interstate 10 which is located approximately five miles north of the project site and, therefore, would not be measurably effected by the project. Therefore, the project would result in a less than significant impact due to a conflict with the regional Congestion Management Plan.

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

**c. Less than significant impact.** The project involves the construction of two warehouse style building on an approximately 2.8-acre site for medical cannabis cultivation. Approximately 28 workers will be employed between the two buildings. As such, it may result in a very minor increase in those using the airport from the project employees during construction and during operation. Therefore, an increase in travelers using the local airport would be minor, and would not result in a significant increase in air traffic levels.

In addition, the project site is located over two miles south of the Palm Springs International Airport. The project site is located within Zone E on Table 2A: Basic Compatibility Criteria of the Riverside County Airport Land Use Compatibility Plan Policy Document, which provides land-use policies for development in the Palm Spring International Airport vicinity. The proposed project would not exceed the plan's height limit and is consistent with the land use restrictions for Zone E. There are no private airstrips within the project vicinity. Therefore, the project would have no impact on air traffic patterns.

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

**d. Less than significant impact.** The project involves the subdivision of an approximately 2.8-acre property into two parcels. Two warehouse style buildings will be constructed; one on each lot. Primary vehicular access to both parcels will be from the main entrance on Margot Murphy Way, with the two parcels sharing the entry driveway. The driveway would not create hazards whereby traffic from the project would be impacted since the project would only generate a minor increase in peak hour trips and with the recommendations of the

traffic report. (See traffic analysis in Attachment E).

During construction of the project, there may be temporary detours, lane closures and off-road construction equipment that may reroute traffic. A traffic control plan is required to be submitted to the City that will assure that any delays, lane closures or traffic rerouting are minimized. Construction equipment will be stored in a staging area onsite and set back from the existing streets so as to avoid incompatibility or reduced visibility.

Operation of the project may require additional roadway improvements to ensure that site specific circulation and access does not create a safety hazard. The TIA provided recommendations for the project to ensure project design would not create safety hazards that will be included as conditions of project approval. Therefore, potential hazards associated with incompatible design features will be less than significant.

*e) Result in inadequate emergency access?*

- e. Less than significant impact.** The project would be required to meet all emergency access requirements of the Cathedral Fire Departments. The site plan has been reviewed and tentatively approved by the Fire Department for consistency with their requirements and conditions of approval.

The City also requires that emergency access be provided during construction activities and notification of emergency services including Police and Fire Department of lane closures. As such, the project will result in a less than significant impact from inadequate emergency access.

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

- f. Less than significant impact.** The project includes the construction of sidewalks along a small portion of Margot Murphy Way that will connect the site to the existing sidewalk leading to East Palm Canyon Drive. Installation of sidewalks and on-site walkways will improve pedestrian access to and from the project site.

The City of Cathedral City adopted the Coachella Valley Association of Government Non-Motorized Transportation Plan Update in 2010 which includes an existing and proposed bike paths and bike facilities plan for the City of Cathedral City. The plan serves as the basis for master planning of these facilities within the City and the Coachella Valley region. The closest bike path is one proposed along East Palm Canyon Drive approximately 300 feet south of the project site. There are no proposed or existing bike paths adjacent to the project site. Therefore, the project would not conflict with the bike paths or facilities plan and would not decrease the performance of such plan.

Sunline Transit operates transit bus service within the City. The closest bus stop for the project site is located on East Palm Canyon Drive and Perez Road approximately 800 feet away from the project site. Due to the small number of employees expected to work at the site, the project will result in a relatively minor increase in use of bus services.

Therefore, the project will result in a less than significant impact due to a conflict with adopted policies, plans or programs relating to transit, bicycle or pedestrian facilities.

**Mitigation Measures:**

- T-1:** The project applicant shall pay a fair-share portion of the cost of installation of a traffic signal at the intersection of Margot Murphy Way and East Palm Canyon Drive. Payment of the fair share cost shall be submitted to the City of Cathedral City before issuance of any permits for the project and/or per the

project's conditions of approval.

**Conditions of Approval:**

1. Before issuance of any permits, the project applicant shall submit plans to the City of Cathedral City showing consistency with the following recommendations contained in the TIA for on-site roadway improvements:
  - Site-specific circulation and access recommendations shown in Figure 68 of the TIA report;
  - Provision of sufficient parking spaces consistent with the City of Cathedral City parking code requirements in order to service on-site parking demand;
  - On-site traffic signing/stripping should be implemented in conjunction with detailed construction plans for the project site;
  - Sight distance at the project access shall comply with standard California Department of Transportation and City of Cathedral City sight distance standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met. Such plans must be reviewed by the City and approved as consistent with this measure before issuance of grading permits.

**XVII. TRIBAL CULTURAL RESOURCES:**

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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a) 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. 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

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## Regulatory Setting

### California Register of Historical Resources

In assessing whether a resource is significant, both the California Public Resources Code (PRC) and CEQA were consulted. Pursuant to PRC section 5020.1(j), a "historical resource" includes, but is not limited to, any object, building, site, area, place, record, or manuscript that is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California."

CEQA defines historical resources as those resources listed or eligible for listing on the California Register of Historical Resources, listed on a local register of historical resources, or those that have been determined by the Lead Agency to meet the criteria for listing on the California Register of Historical Resources (CRHR) (Public Resources Code section 5024.1, Title 14, CCR, Section 4852). For CEQA purposes, a historical resource is any building, site, structure, object, or historic district listed in or eligible for listing in CRHR. A resource is eligible for listing in the CRHR if it meets one or more of the following criteria:

- a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- b. Is associated with the lives of persons important in our past.
- c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- d. Has yielded, or may be likely to yield, information important in prehistory or history [PRC 5024.1(c)].

An archaeological resource not listed or found ineligible for listing on a historical register may also be considered significant if it is an archaeological artifact, object or site that meets the CEQA definition of "unique archaeological resource." A unique archaeological resource means: 1) one that contributes to a body of knowledge; 2) is the oldest or best of its type; or 3) is associated with a prehistoric or historic event.

### AB 52

AB 52, which went into effect on July 1, 2015, requires a lead agency to consider a project's impacts on "Tribal Cultural Resources" (TCRs). TCRs are defined in Public Resources Code § 21074 as follows:

- (a) "Tribal cultural resources" are either of the following:
  - (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    - (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
  - (2) 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 of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- (b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- (c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a).

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AB 52 establishes a consultation process between a Lead Agency and California Native American tribes as part of the CEQA process. Lead agencies must consult with tribes regarding potential tribal cultural resources (TCRs) in the project vicinity, potential impacts to TCRs, project alternatives, and the type of environmental document that should be prepared. Native American tribes must initiate contact with lead agencies to request to be notified of projects in areas in which the tribe is traditionally affiliated.

### **AB52 Consultation**

In accordance with AB 52 requirements, the City of Cathedral City, acting as Lead Agency, sent letters to all tribal requesting to be notified of projects within the City. Of the seven letters mailed to the tribes, only two have responded to date. The Agua Caliente Band of Cahuilla Indians representative responded in a letter dated May 15, 2017 and the Twenty-Nine Palms Band of Mission Indians responded on May 2, 2017. No resources were reported to be present on the site or surrounding area.

*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:*

*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)?*

**a) i No impact.** The project site is vacant, covered with an infill soil, and highly disturbed from part grading activities. The cultural resources prepared for the project site found that no significant TCRs were present. The NAHC sacred lands files search did not indicate the presence of any Native American traditional cultural properties on the project site and immediate surrounding area.

Tribal consultation was conducted in accordance with AB 52 and seven tribes were contacted. In a response letter dated May 15, 2017, a representative of the Agua Caliente Band of Cahuilla Indians (ACBCI) indicated that the project site is located within its area of the ACBCI Reservation and requested copies of the cultural resources survey be sent to them. In their letter of May 2, 2017, the Twenty-Nine Palm Band of Mission Indians stated that it does not have records of any tribal cultural resources in the project area, but stated since the project is near a Chemehuevi Traditional Use Area, there was the potential for inadvertent discoveries. Both tribes requested copies of the cultural resources assessment. However, due to the fact that there is no evidence of any known tribal cultural resources on the project site or within the surrounding area, the project would have no impact on tribal cultural resources that meet the criteria for listing, or are eligible for listing, on the California Register of Historic Places or otherwise considered to be significant pursuant to criteria in subdivision (c) of PRC section 5024.1.

*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.*

**a) ii. Less than significant with mitigation.** The site is located within the boundaries of the Agua Caliente Band of Cahuilla Indians Reservation. Although no known TRCs have been found either during a records search or site reconnaissance survey, there is a remote possibility that unknown tribal cultural resources may be uncovered since site excavation may be deeper than previous ground disturbance. Accordingly, the project will be required to implement and comply with mitigation measure TRC-1. As such, the project will not have

a significant impact on tribal cultural resources with implementation of mitigation.

**TCR-1** An approved Native American Cultural Resource Monitor shall be present during any ground-disturbing activities (including archaeological testing and surveys). Should buried tribal cultural resource deposits be encountered, the monitor may request that construction be halted, and the monitor shall notify a qualified archaeologist, meeting the Secretary of the Interior’s Standards for Professional Qualifications in archaeology, to investigate and, if the find is significant, prepare a mitigation plan for submission to the State Historic Preservation Officer (SHPO) and the Agua Caliente THPO.

**XVIII. UTILITIES AND SERVICE SYSTEMS:** Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Background and Setting

### Wastewater

The City requires all new development connect to a citywide sewer system. Therefore, the project will be required to connect to the citywide sewer system.

### Solid Waste

California Assembly Bill 939 (AB 939) was signed into law on September 29, 1989. AB 939 established an integrated waste management hierarchy that included source reduction, recycling and composting and environmentally safe transformation and land disposal of solid wastes. AB 939 requires that California cities prepare a SRRE (Source Reduction Recycling Element) report which shows how they will divert 50% of their jurisdiction's waste stream from landfill disposal each year. Cathedral City has implemented a number of diversion programs that have resulted in the City consistently surpassing the 50% goal.

California Green Building Standards (CalGreen) Code, the contractor will be required to implement a Construction Waste Management Plan that will recycle and/or salvage at least 50 percent of the estimated volume or weight of all nonhazardous construction and demolition waste.

### Checklist Responses:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

**a., b. & e. Less than significant impact.** The Desert Water Agency (DWA) and Coachella Valley Water District (CVWD) provide wastewater collection and treatment services to the project site. DWA and CVWD implement all the requirements of the Colorado River Basin Regional Water Quality Control Board as they relate to wastewater discharge requirements and water quality standards.

Implementation of the proposed project would result in an increased demand for wastewater services. Increases in demand for wastewater service can result in the exceedance of the wastewater treatment plant's wastewater treatment requirements, as well as the need for new wastewater treatment and collection/ conveyance facilities or expansion of existing facilities.

The project will be required to connect to the existing sanitary sewer system that is operated and maintained by DWA. DWA's wastewater collection system utilizes sewer mains ranging in size from 8 to 18 inches in diameter.<sup>16</sup> Wastewater is conveyed through sewer lines from 4 to 24 inches in diameter. DWA does not operate a wastewater treatment plant, but instead its wastewater collection system connects to the CVWD sewer system where wastewater is transported to the Cook Street Wastewater Reclamation Plant (WRP-10).

The Cook Street Wastewater Reclamation Plant (WRP-10) currently has a capacity of 20 million gallons per day<sup>17</sup> (mgd) and consists of an activated sludge treatment plant, a tertiary wastewater treatment plant, a lined holding basin, 6 storage basins and 21 infiltration basins (CVWD 2010 UWMP). WRP-10 has a designed capacity of 18 mgd and treats an annual average daily flow of 10.8 mgd from the activated sludge plant.

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<sup>16</sup> P. VI-3, Water, Sewer & Utilities Element, Cathedral City Comprehensive General Plan, adopted Sept. 31, 2002, as amended Nov. 18, 2009

<sup>17</sup> P. VI-3, Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended Nov. 18, 2009.

Therefore, the proposed project will be adequately served by existing wastewater treatment plants and construction or expansion of additional wastewater treatment facilities will not be required.

Given that adequate wastewater treatment and collection/conveyance infrastructure and capacity would be provided to the project from existing infrastructure, the project would not result in the need for new or expanded wastewater collection or treatment facilities. The development of the project would connect to existing sewer system by extension of the existing sewer main and adequate sewer collection facilities exist to serve the proposed project. Therefore, the project would result in a less than significant impacts resulting from exceeding wastewater treatment requirements of the Colorado River Basin Regional Water Quality Control Board, or new construction of wastewater treatment facility or expansion of existing facilities.

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

- c. Less than significant impact.** Construction of the project would increase the amount of impervious surface compared to existing conditions. Existing stormdrain facilities include the City's primary drainage facility, the Whitewater River Stormwater Channel with a capacity of 40,000 AFY (CVWD 2010 UWMP). The Whitewater River Stormwater Channel extends from Vista Chino, southeast to East Palm Canyon Drive. Dikes, levees, and detention/retention basins have been constructed to manage community and regional drainage systems in the City.

The project would be required to prepare and submit a WQMP to the City before issuance of construction permits to show compliance with the NPDES permit program. As part of the WQMP, the project would also be required to show how stormwater will be retained on site after construction. To comply, the project design includes an underground storm drain system and retention areas on the project site that are expected to handle the required predicted runoff.

With the planned use of stormwater detention facilities on site, the overall volume would be minor. Given the minor increase in overall runoff volume and the construction of on-site water retention basins, the amount of stormwater resulting from the project would be negligible and would not require expansion of stormwater facilities. Therefore, the project will not result any impacts from construction or expansion of stormwater drainage facilities.

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

- d. Less than significant impact.** The proposed project will be served by DWA for domestic water. In a letter dated November 15, 2016 that was sent to the applicant, the DWA that the agency will provide water to the project subject to applicable rules, regulations, ordinances, and orders of the agency.

One of the largest demands for water would come from the installation of landscaping. In 2010, the City adopted the Coachella Valley Water District's (CVWD) Ordinance establishing Landscaping and Irrigation System Design requirements intended to conserve water in the Coachella Valley region with desert landscaping, limiting turf areas, and water conservation irrigation techniques. The project landscaping would be required by CVWD Ordinance 1302 pertaining to Water Efficient Landscape to be consistent with the ordinance's landscape design criteria through plan submittal and approval by the CVWD before issuance of water meters for the project.

The water used for cultivation during operation of the project will be recycled and used again in the

operation. This will lower the need for additional water supplies.

Onsite buildings would also be constructed pursuant to Title 24 standards that require the implementation of water conservation measures in the construction of new buildings. Therefore, water demands from the project would be further reduced.

Water will be supplied to the site by the DWA. The City is covered by the DWA's Urban Water Management Plan 2010 Update, which is a long-term planning document that helps the DWA plan for current and future water demands. The project applicant has received approval from the DWA in the form of a letter stating that the agency will provide water to the project subject to the rules and regulations of the DWA. Therefore, water supply from the project will be from existing sources and not need new or expanded resources. Therefore, the project will result in a less than significant impact to water supplies.

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

*f) Comply with federal, state, and local statutes and regulations related to solid waste?*

**f. & g. Less than significant impact.** Burrtec Waste Industries provides solid waste collection and disposal services to the City of Cathedral City through an exclusive franchise agreement and is required to meet all local, state and federal standards for solid waste disposal. Solid wastes are brought to the Edom Hill Transfer Station in Cathedral City; and to the Lamb Canyon Sanitary Landfill in Beaumont. According to California Department of Resources Recycling and Recovery (CalRecycle), the Lamb Canyon Landfill that serves the Coachella Valley has sufficient remaining capacity to accept solid waste from the areas served until April 1, 2029. The applicant will be required to obtain approval for solid waste services from Burrtec for the project indicating sufficient capacity in area landfills to accept solid waste from the project.

The project applicant will be required to obtain approval for solid waste services from Burrtec for the project indicating that there is sufficient capacity in area landfills to accept solid waste from the project. Burrtec has provided a letter of intent to serve the project.

In compliance with AB 939 (AB 939), Cathedral City has implemented a number of diversion programs that have resulted in the City consistently surpassing the 50% goal. Project compliance with California Green Building Standards (CalGreen) Code would result in at least 50 percent of non-hazardous construction and demolition debris being recycled or salvaged. No demolition would be involved. With compliance with this regulation, the project would result in reduced need for disposal of solid waste into landfills.

The project will be served by a landfill with sufficient capacity to accommodate the project's solid waste. Compliance with the Green Building Standards for recycling of solid waste will be required for the project. In addition, there is sufficient capacity in the area landfills to accommodate solid waste generated by both construction and operation of the project. Therefore, the project will result in a less than significant impact with regards to solid waste.

RR As required by the California Green Building Standards (CalGreen) Code, the contractor will be required to implement a Construction Waste Management Plan that will recycle and/or salvage at least 50 percent of the estimated volume or weight of all nonhazardous construction and demolition wastes. Any salvageable and designated recyclable and reusable materials in structures planned for demolition will be made available for deconstruction, salvage, and recovery prior to demolition.

Standard conditions of approval placed on all new development project to encourage recycling of waste material:

A. All new large-scale development shall establish recycling programs as part of the planning process.

Programs shall include recycling provision for residences as well as commercial establishments. (Standard Condition of Approval)

- B. Recycling provision for commercial and business establishments should include separate recycling bins for various items, such as paper, glass, cardboard, and aluminum cans. (Standard Condition of Approval)
- C. The City shall assure that all hazardous materials, whether from construction of the operation of land uses within the planning area, are handled stored and/disposed of according to all existing laws and standard as the time the activity takes plans. (Standard Condition of Approval)

**XIX. MANDATORY FINDINGS OF SIGNIFICANCE:**

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a. Less than significant with mitigation**

**Biological resources**

The project site has sandy soils, and minimal vegetation, and has been graded. Although the project site has been graded and is surrounded by urban development on three sides, there is some potential for burrowing owls, and other migrating birds covered by the Migratory Bird Treaty Act, to enter the site in the future. The project will require that a burrowing owl survey be conducted no more than five days before start of construction to further ensure that no burrowing owls have taken up residence on the site. In addition, the project will also require a nesting survey (BIO-2) if construction is to occur during the MBTA nesting cycle

(February 1-September 30) not more than 14 days before start of construction.

With the implementation of mitigation for the burrowing owl and migrating birds, development of the site will not threaten to eliminate a plant or animal species or reduce the number or restrict the range of rare or endangered plant or animal species.

### **Cultural Resources**

The site has no potential to harbor historical resources since no historical resources were found on the site during surveying and no historical resources on or near the site were found during the records search. No archaeological resources were found on the site during surveying. A review of cultural resources records research did not indicate any known archaeological resources on or near the project site. However, since the site has never been developed, there is a remote possibility that unknown archaeological resources and tribal cultural resources may be uncovered during site disturbance activities. Accordingly, the project would be required to implement and comply with mitigation measures CR-1 through CR-2 for archaeological resources and TRC-1 for tribal cultural resources. Implementation of this mitigation measure will reduce the impact from potential discovery of subsurface cultural resources to less than significant.

- b. Less than significant impact with mitigation.** The project is consistent with the City's General Plan land use designation and the City's long-range plan for future development for the project area. Public utility providers will be capable of serving the project with existing facilities. Potential environmental impacts are expected to remain at levels below significance and long-term environmental goals are not expected to be adversely impacted by the project. However, the traffic impact analysis report found that the project with the addition of future surrounding development could result in a significant cumulative impact to traffic at the intersection of Margot Murphy Way and East Palm Canyon Drive. Implementation of mitigation measure T-1 will reduce the impact to less than significant. Impacts from the project will not be less than significant with the implementation of mitigation.
- c. Less than significant with mitigation.** As demonstrated in this analysis, the project may result in impacts associated with geology and soils and location within an airport land use plan. Geological impacts resulting from earthquakes will be mitigated with implementation of mitigation measures GEO-1 and GEO-2. Project impacts from location within an airport land use plan will be mitigated with implementation of HAZ-1 through HAZ-5. All other direct or indirect impacts on humans resulting from the project are expected to be less than significant.

### CHAPTER 3 – Mitigation Monitoring and Reporting Program (MMRP)

Mitigation measures are included within each section of the initial study checklist and are provided below. The Mitigation Monitoring Program outlines the potential impacts and mitigation measures of the proposed project, and assigns responsibility for the oversight of each mitigation measure. This Table shall be included in all bid documents and included as a part of the project development.

Section	Mitigation Measure	Monitoring responsibility	Timing	Impact after mitigation
<b>Biological</b>	<b>BIO-1.</b> Before issuance of any building permit for the project, a pre-construction survey shall be conducted for the burrowing owl no more than five days before any ground-disturbing activities using the proper USFWS and CDFW protocols. The survey shall be conducted as close to the actual construction initiation date as possible. The survey shall include inspection of all on-site rodent burrows by an experienced burrowing owl biologist, paid for by the project applicant, and confirmed as not having any owls in them. If evidence of the burrowing owl or desert tortoise is found on the site, then the developer shall follow the recommendations of an experienced burrowing owl biologist, hired by the City at the developer’s expense, on the find before restarting the ground-disturbing activities. Evidence of the completed surveys shall be submitted to the City Planner before grading permit issuance.	City Planner Biologist	Not more than five days before start of construction / before building permit issuance	Less than significant
	<b>BIO-2.</b> If construction is to occur during the MBTA nesting cycle (February 1-September 30), a nesting bird survey shall be conducted by a qualified biologist, contracted by the applicant or City and paid by the applicant, not more than 14 days before start of ground-disturbing activities. Disturbances that cause nest abandonment and/or loss of reproductive effort (e.g. killing or abandonment of eggs or young) may be considered take and is potentially punishable by fines or imprisonment. Active bird nests shall be mapped utilizing a hand-held global positioning system (GPS) and a 300’ buffer shall be flagged around the nest (500’ buffer for raptor nests). Construction shall not be permitted within the buffer areas while the nest continues to be active (eggs, chicks, etc.). Results of the survey shall be submitted to the City Planner before issuance of building permits.	City Planner Biologist	Not more than 14 days before start of construction / before issuance of building permits	Less than significant

Section	Mitigation Measure	Monitoring responsibility	Timing	Impact after mitigation
<b>Cultural Resources</b>	<b>CR-1</b> If during excavation, grading or construction, artifacts or other archaeological resources are discovered, all work in the immediate area of the find shall be halted and the applicant shall immediately notify the City Planner. A qualified archaeologist, meeting the Secretary of the Interior’s professional qualifications standards for archaeology, shall be called to the site by, and at the expense of, the applicant to identify the find and propose mitigation if the resource is culturally significant. Work shall resume after consultation with the City of Cathedral City and implementation of the recommendations of the archaeologist. If archaeological resources are discovered, the archaeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Agua Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.	City Planner Archaeologist	During construction activities	Less than significant
	<b>CR-2</b> If any cultural resources are uncovered during site disturbing activities, a tribal representative shall also be contacted and consulted regarding the find. If the resource is found to be significant, the archeologist in consultation with the appropriate tribal representative and City representative shall confer with regard to mitigation.	City Planner Tribal representative	During exaction/ construction activities	Less than significant
<b>Geology</b>	<b>GEO-1:</b> Before issuance of building permits, the project applicant shall submit plans to the City Engineer for review and approval demonstrating project compliance with the most recent California Building Code seismic requirements and the recommendations of the geotechnical report for the project. All soil engineering recommendations and structural foundations shall be designed by a licensed professional engineer. The approved plans shall be incorporated into the proposed project. All on-site engineering activities shall be conducted under the supervision of a licensed geotechnical engineer.	City Engineer	Before issuance of building permits	Less than significant

Section	Mitigation Measure	Monitoring responsibility	Timing	Impact after mitigation
<b>Hazards and Hazardous Materials</b>	<b>HAZ-1:</b> Any outdoor lighting installed shall be hooded or shielded to prevent either spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.	Building Official	Before issuance of building permits	Less than significant
	<b>HAZ-2:</b> The following uses shall be prohibited:	Planning Manager	Before issuance of building permits	Less than significant
	a. Any use that would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational light or visual approach slop indicator.			
	b. Any use that would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.			
c. Any use that would generate smoke or water vapor or that would attract large concentrations of birds, or that may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sun flower, and row crops, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, and construction and demolition debris facilities.)				
d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.				
	<b>HAZ-3:</b> A “Notice of Airport in Vicinity” shall be provided to all potential purchases of the property and tenants of the buildings.	Applicant Planning Manager	During construction	Less than significant
	<b>HAZ-4:</b> Any new retention or detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design	City Engineer	Before issuance of building permits	Less than significant

Section	Mitigation Measure	Monitoring responsibility	Timing	Impact after mitigation
	<p>storm (may be less, but not more) and to remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.</p>			
<b>Traffic</b>	<p><b>T-1:</b> The project applicant shall pay a fair-share portion of the cost of installation of a traffic signal at the intersection of Margot Murphy Way and East Palm Canyon Drive and the construction of a bike path along East Palm Canyon Drive in the vicinity of the project. Payment of the fair share cost shall be submitted to the City of Cathedral City before issuance of any permits for the project.</p>	City Engineer	Before issuance of permits	Less than significant
<b>Tribal Cultural Resources</b>	<p><b>TCR-1</b> An approved Native American Cultural Resource Monitor shall be present during any ground-disturbing activities (including archaeological testing and surveys). Should buried tribal cultural resource deposits be encountered, the monitor may request that construction be halted, and the monitor shall notify a qualified archaeologist, meeting the Secretary of the Interior’s Standards for Professional Qualifications in archaeology, to investigate and, if the find is significant, prepare a mitigation plan for submission to the State Historic Preservation Officer (SHPO) and the Agua Caliente THPO.</p>	Developer	During construction	Less than significant

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## **APPENDICES:**

- A – Air Quality and Greenhouse Gas Impact Analysis
- B – Habitat Assessment
- C – Cultural Resources Assessment
- D – Geotechnical Investigation
- E – Phase I Environmental Site Assessment
- F – Traffic Impact Analysis

# Appendix A

Ecoplex Air Quality and Greenhouse Gas Impact Analysis

# Appendix B

Habitat Assessment

# Appendix C

Cultural Resources Assessment

# Appendix D

Geotechnical Investigation

# Appendix E

Phase I Environmental Site Assessment

# Appendix F

Traffic Impact Analysis