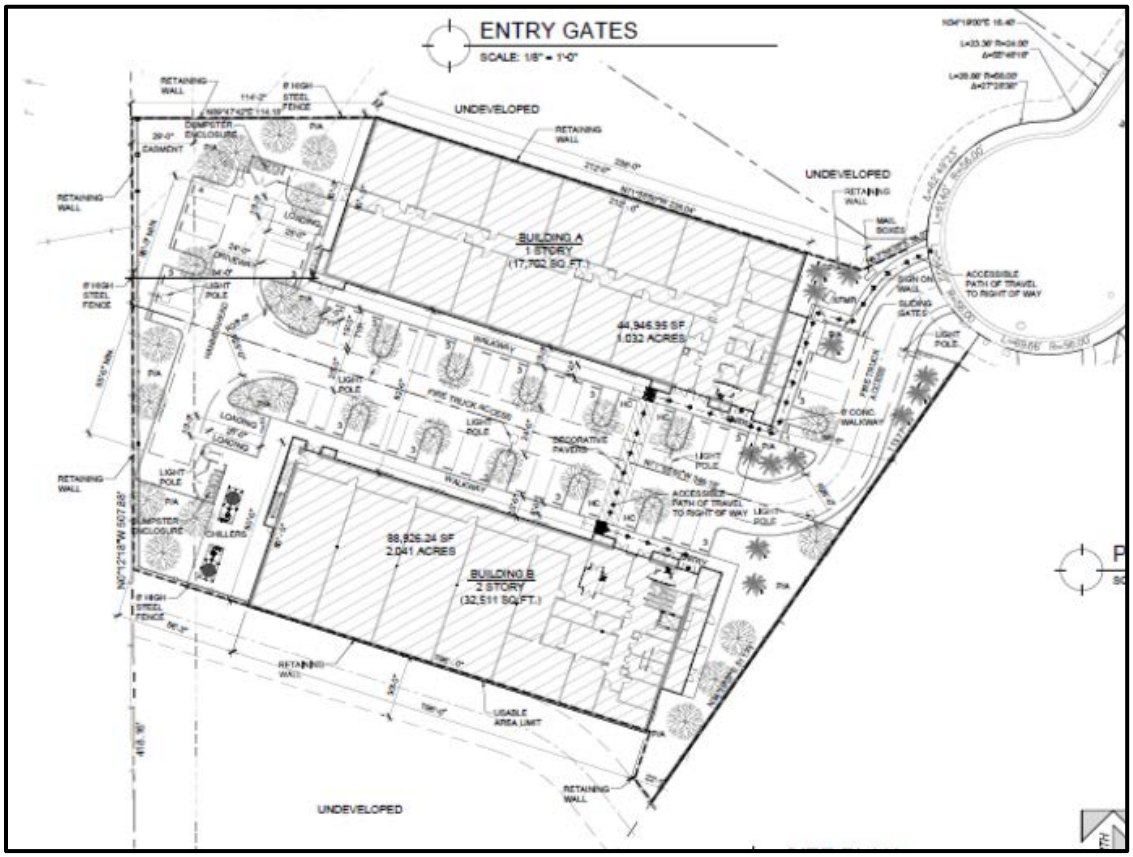
Ecoplex Park II

Cannabis Cultivation Project
Conditional Use Permit 17-029 and TPM 37355
APN 687-510-049 (portion)



Draft Initial Study and Mitigated Negative Declaration

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April 19, 2018

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CHAPTER 1 – INTRODUCTION AND PURPOSE

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 the Ecoplex Park II development project that includes Conditional Use Permit (CUP 17-029) for the construction of buildings as two cannabis cultivation facilities, and Tentative Parcel Map (TPM) 37355 for a two-lot subdivision of a vacant 3.07-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. Section 15063(c) of the State CEQA Guidelines identifies the purposes of an Initial Study as follows:

- To provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR or Negative Declaration.
- Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration.
- Assist in the preparation of an EIR, if one is required, by:
  - (A) Focusing the EIR on the effects determined to be significant,
  - (B) Identifying the effects determined not to be significant,
  - (C) Explaining the reasons for determining that potentially significant effects would not be significant, and
  - (D) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
- Facilitate environmental assessment early in the design of a project;
- Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
- Eliminate unnecessary EIRs;
- Determine whether a previously prepared EIR could be used with the project.

Overview of Proposed Project

The proposed project involves a request to develop a vacant 3.07-acre property with a cannabis cultivation business. The project requires approval of a Conditional Use Permit and a TPM. The applicant proposes to subdivide the property into two lots and to construct a 17,702-square-foot building on Parcel I and a two-story, 32,511-square-foot building on Parcel II.

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
- Greenhouse Gases
- 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 imposes 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:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Traffic and Transportation
- Tribal Cultural Resources

Determination

Pursuant to the CEQA Guidelines, the City may adopt a Mitigated Negative Declaration (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. An MND is proposed for adoption.

Document Organization

This document is divided into the following five chapters:

- Chapter 1, Introduction: Describes the purpose of this environmental document and includes an overview of the proposed project and the document organization.
- Chapter 2, Project Description and Background: Provides a detailed description of the proposed project, existing site conditions, and surrounding land uses.
- Chapter 3, Environmental Checklist: Evaluation of the potential environmental impacts that may result from the proposed project.
- Chapter 4, Mitigation Monitoring and Reporting Program
- Chapter 5, References

CHAPTER 2 – Project Description and Background

Project Description

The Ecoplex Park II project includes the subdivision of a vacant 3.07-acre property into two parcels and construction of two warehouse-style buildings with a total of 50,197 square feet of floor area for cannabis cultivation businesses. The applicant requested approval from the City of Tentative Parcel Map (TPM) 37355 and Conditional Use Permit (CUP) 17-029 for the project.

Development of the project site will only take place on the northern section of the site, which is approximately four-fifths of the property. The portion of the property south of the pipeline easement will not be developed, which will allow it to serve as a buffer from the environmentally sensitive area of the San Jacinto Mountains to the south and southwest.

TPM 37355 is a proposal to subdivide the project site into two parcels: Parcel I of 1.03 acres and Parcel 2 of 2.04 acres. A single-story, 17,702-square-foot building is proposed for Parcel I and a two-story, 32,511-square-foot building is proposed for Parcel II. A single driveway will provide street access for the project site to Margot Murphy Way. The driveway will lead to the parking lot that will be situated between the two buildings. The shared parking lot will have 48 spaces and three loading zones, and will include landscaped areas to provide shade. Mutual easement improvements will be constructed on Margot Murphy way in the immediate area of the project site, which will include sidewalk and curb and gutter. Other infrastructure improvements for the project will include sewer, water and gas connections. The project also includes construction of drainage pipelines and facilities to transfer storm water flows from the parking lot and building roofs to the adjacent property to the east via a mutual drainage covenant.

Landscaping will be installed in areas within the developed portion of the site. Landscaping will be located within the parking lot area to provide shading of the parking spaces, along both sides of the driveway and along the side property lines. No landscaping will be installed on the pipeline easement or the area south of the easement. This portion of the site will remain in its natural state.

The largest portion of the buildings will be used as growing rooms for the cannabis plants. Office space, propagation rooms, employee lounge, security room, and plant treatment areas will take up the remaining space. Cultivation operations will involve propagation from “mother” plants after which the plants will be transferred to the growing rooms. After the plants have been harvested, they will be trimmed and packaged then shipped to customers. In an effort to reduce water usage, water will be purified using a reverse osmosis process and reused until buildup of sludge makes it unusable. Any water containing contaminants will be required to be hauled off the site by authorized hazardous waste haulers. Carbon Dioxide (CO_2) used to enhance plant growth will be brought to the site and stored in canisters outside the buildings.

The majority of the site is located within the PCC (Planned Community Commercial) zoning district and is designated CG (General Commercial) on the General Plan land use map. The southern approximately one-fifth of the site is within the OS (Open Space) zoning district. The project site is also located within Specific Plan SP 89-39.

Project Location and Environmental Setting

Region

The project site is situated within 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 City of Cathedral City is located in the central portion of the Coachella Valley. The City spans the valley in a north-south orientation beginning at the foothills of the San Jacinto Mountains to the south and crossing the I-10 Freeway to the Edom Hill area. 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 southern boundary of the City of Cathedral City, which roughly runs along the base of the San Jacinto foothills. 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 Canyon Plaza and Perez Road. The site is also within the boundaries of the Agua Caliente Band of Cahuilla Indians (ACBCI) Reservation and ACBCI Tribal Habitat Conservation Plan.

The majority of the site slopes gently from southwest to northeast. In contrast, the southerly tip of has a much steeper slope which ascends towards the San Jacinto Mountains. (Refer to Figure 2-6: Tentative Parcel Map No. 37355 and Figure 2-2: 2015 Aerial of Project Site and Surrounding Area.) The project site is vacant, undeveloped and is highly disturbed across the majority of the site. The site has been graded and is covered with approximately 10 feet of infill soil from the construction of the Eagle Canyon Dam. Only the triangular portion of the site adjacent to the base of the mountains is undisturbed and is characterized by rocky outcroppings. The southerly approximately one-third of the site 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 immediate surrounding area is comprised of vacant undeveloped land. The San Jacinto Mountains rise abruptly from the desert floor along the southern boundaries of the City directly south of the project site. With the exception of the land adjacent to the south, adjacent properties have all been disturbed by grading activities. Land to the south and southwest of the project site is steeply sloped and undeveloped. This land is protected from development by its location within the Mountains and Canyons Conservation Area of the Agua Caliente Habitat Conservation Plan area.

Phase I of the Ecoplex Park project, consisting of a 43,444-square-foot cannabis cultivation facility, was recently approved by the City for the property adjacent to the east. The areas further east and northeast of the project site are developed with auto repair shops fronting on Perez Road and an auto dealership on the east side of Margot Murphy Way. The Eagle Canyon Dam is located approximately 500 feet southwest of the project site.

Project Objectives

The proposed Ecoplex Park II project would accomplish the following objectives:

- Development of a cannabis cultivation facility to meet demand for the product within the local area and region;
- Development of a site that is designed to blend with the natural environment and to minimize impacts on the existing visual character of the area;
- To provide additional employment opportunities within the City; and
- Development of a vacant infill property increasing the economic base of the City.

Discretionary Actions

The project requires approval of a Conditional Use Permit (CUP) 17-029, and Tentative Parcel Map (TPM) 37355 by the City of Cathedral City the Planning Commission and City Council.

Figure 2-1: Regional Location Map

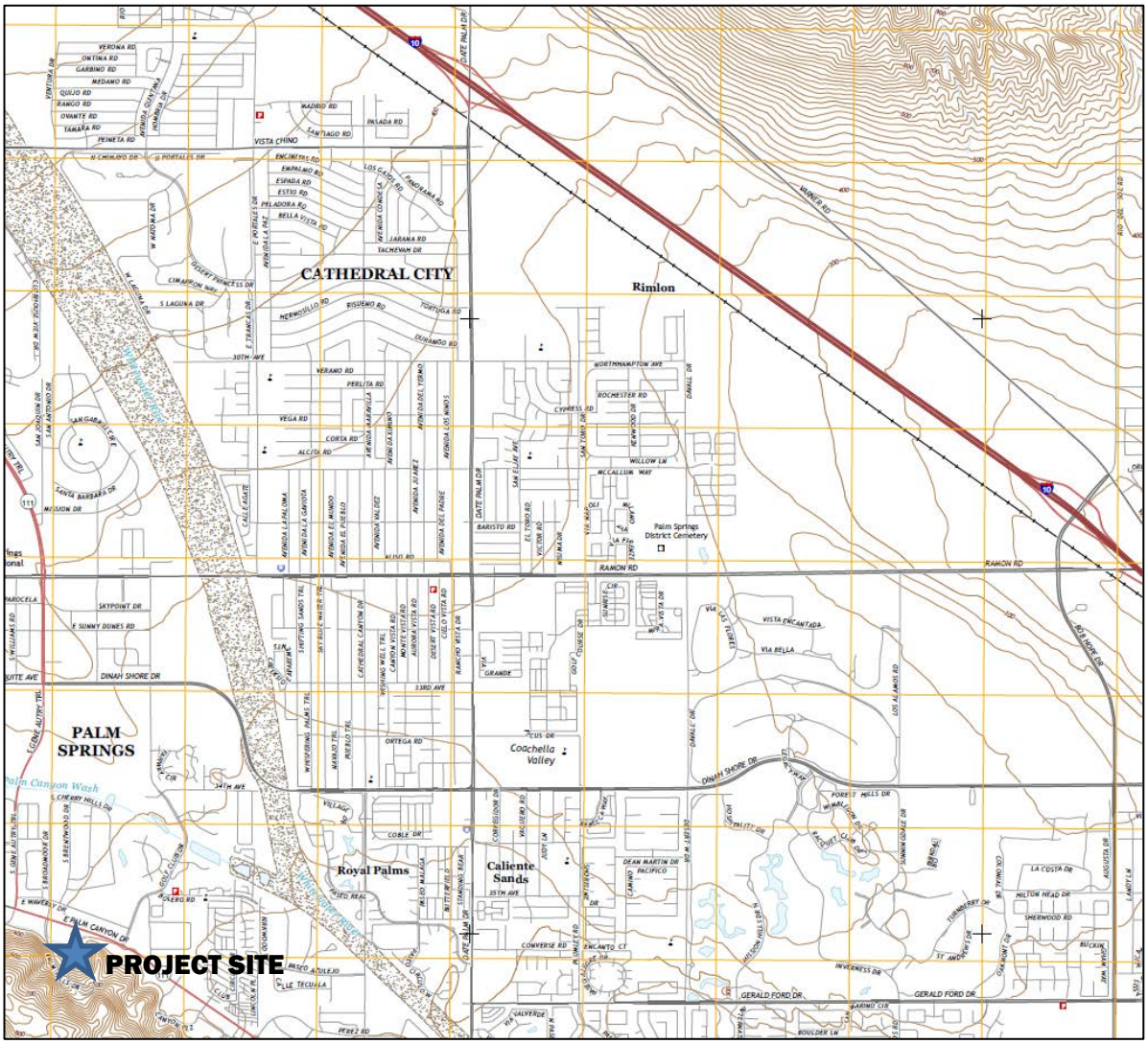

Figure 2-2: 2015 Aerial of Project Site and Surrounding Area

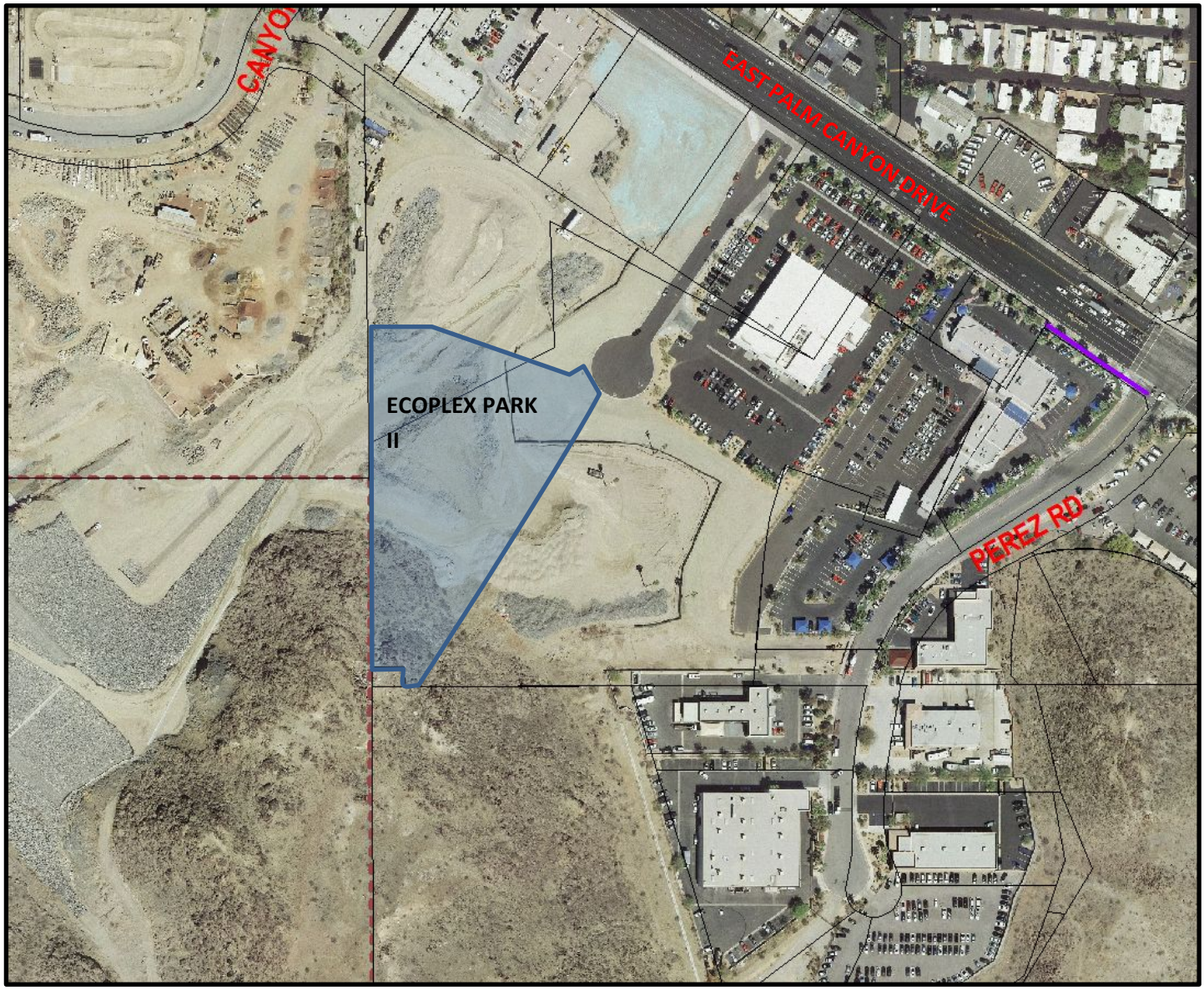

Figure 2-3: Soils of Project Site and Surrounding Area

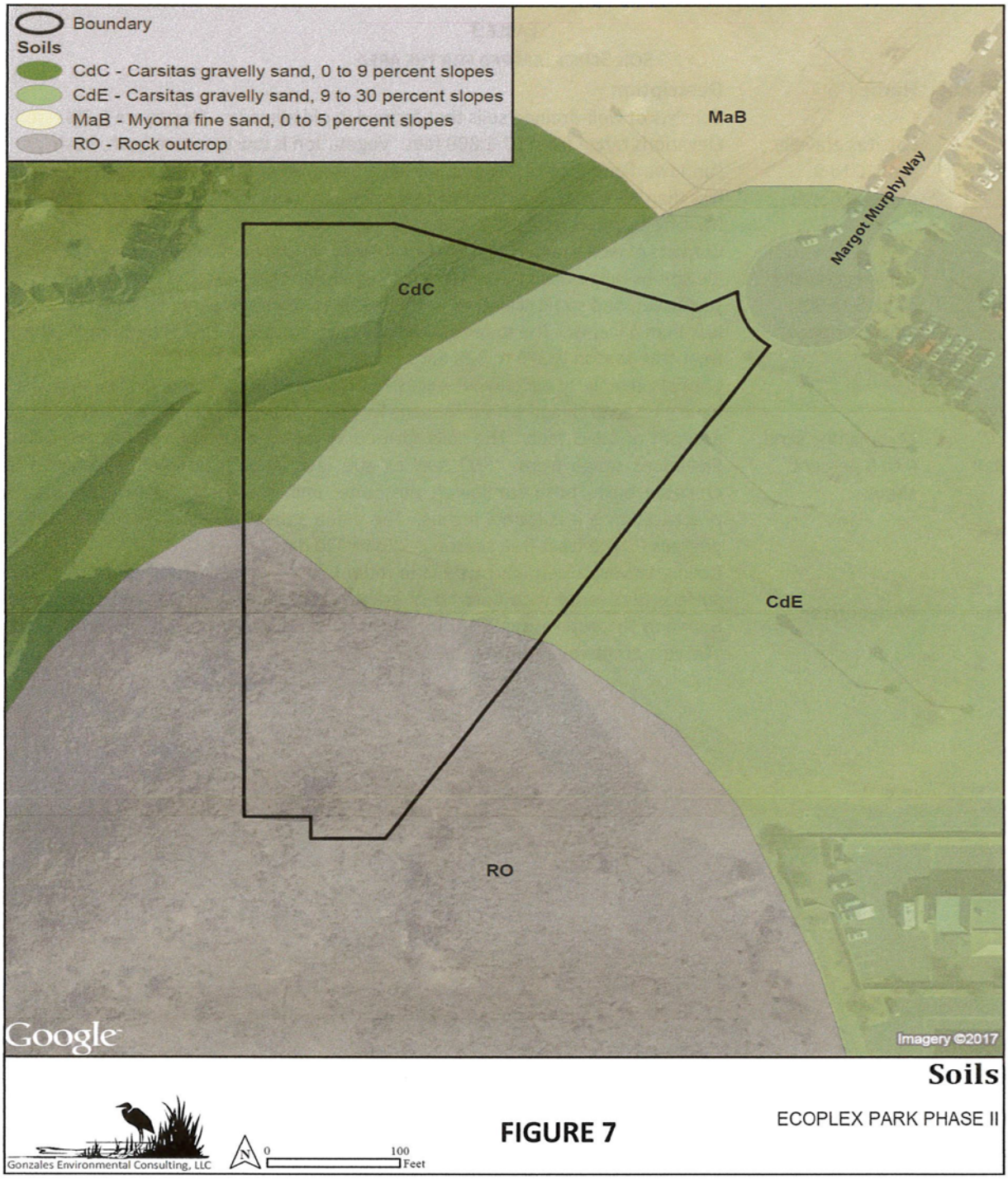

Figure 2-4: Photographs of Project Site and Surrounding Area

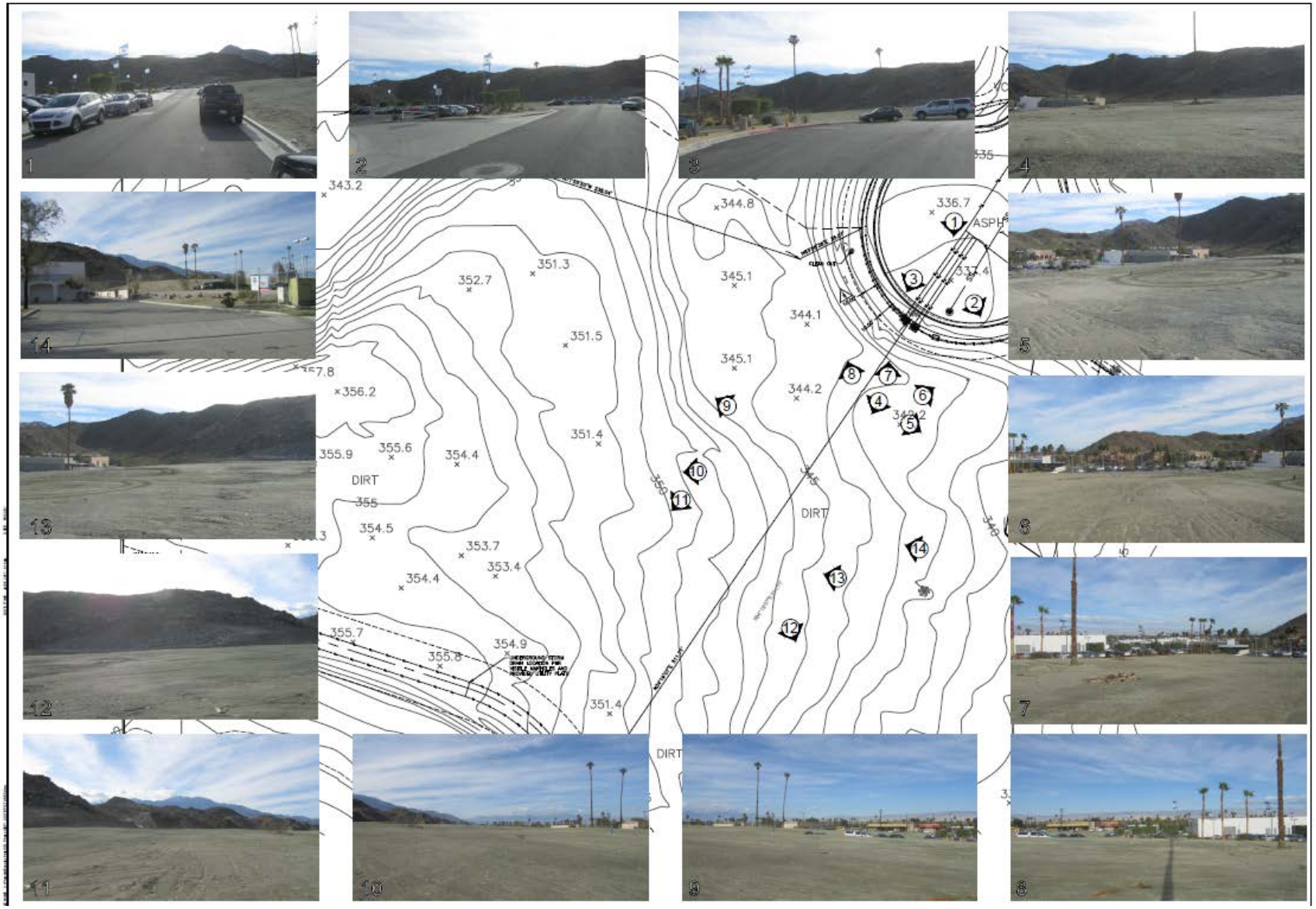

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Figure 2-5: Photos of Surrounding Area

Site adjacent to the east from Margot Murphy Way.

View of hills adjacent to south

View from Eagle Canyon Dam southwest of project site

View of commercial properties to northwest

Views towards auto dealership northwest of project site

Figure 2-6: Tentative Parcel Map No. 37355

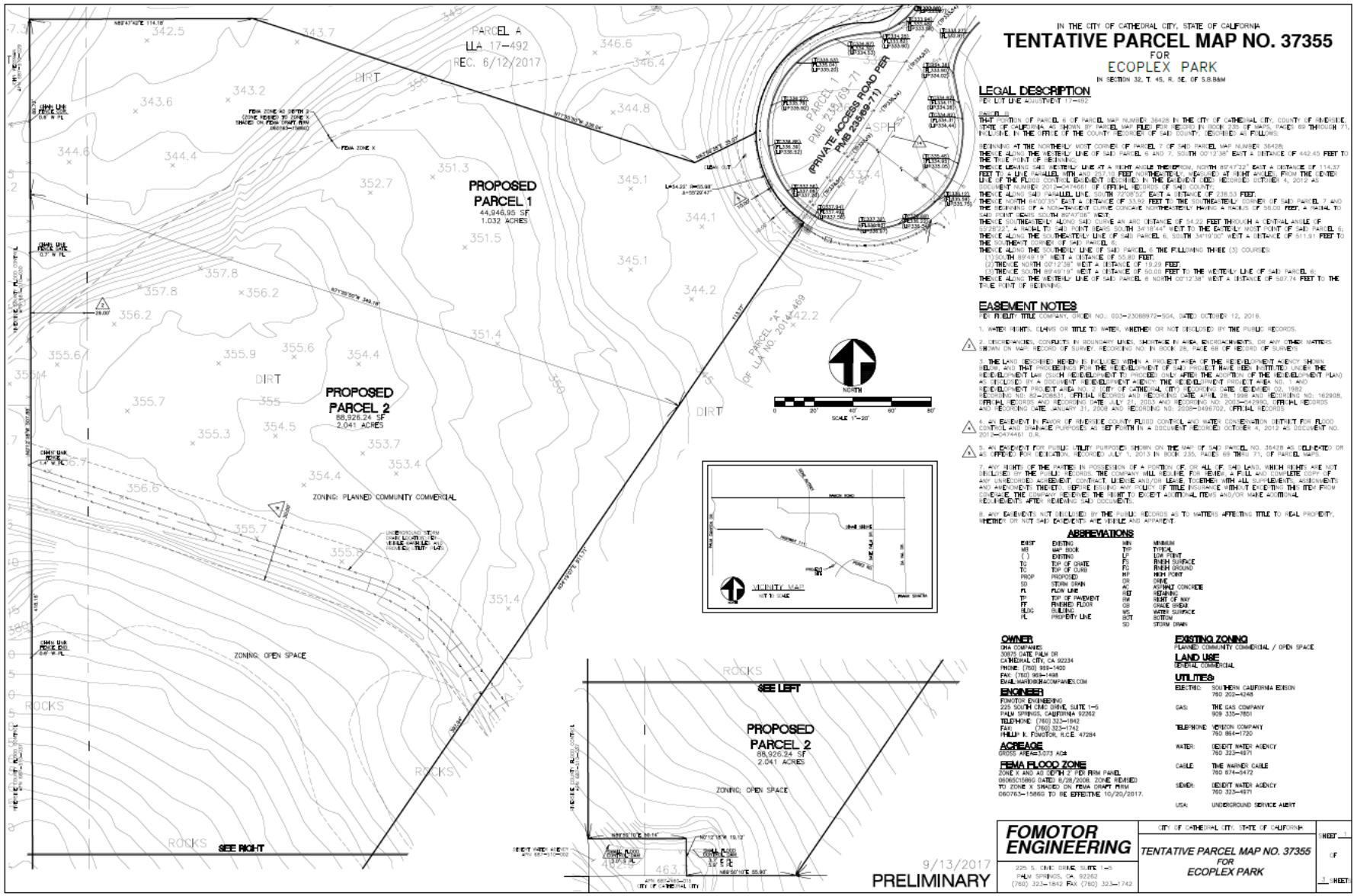


Figure 2-7: Project Site Plan

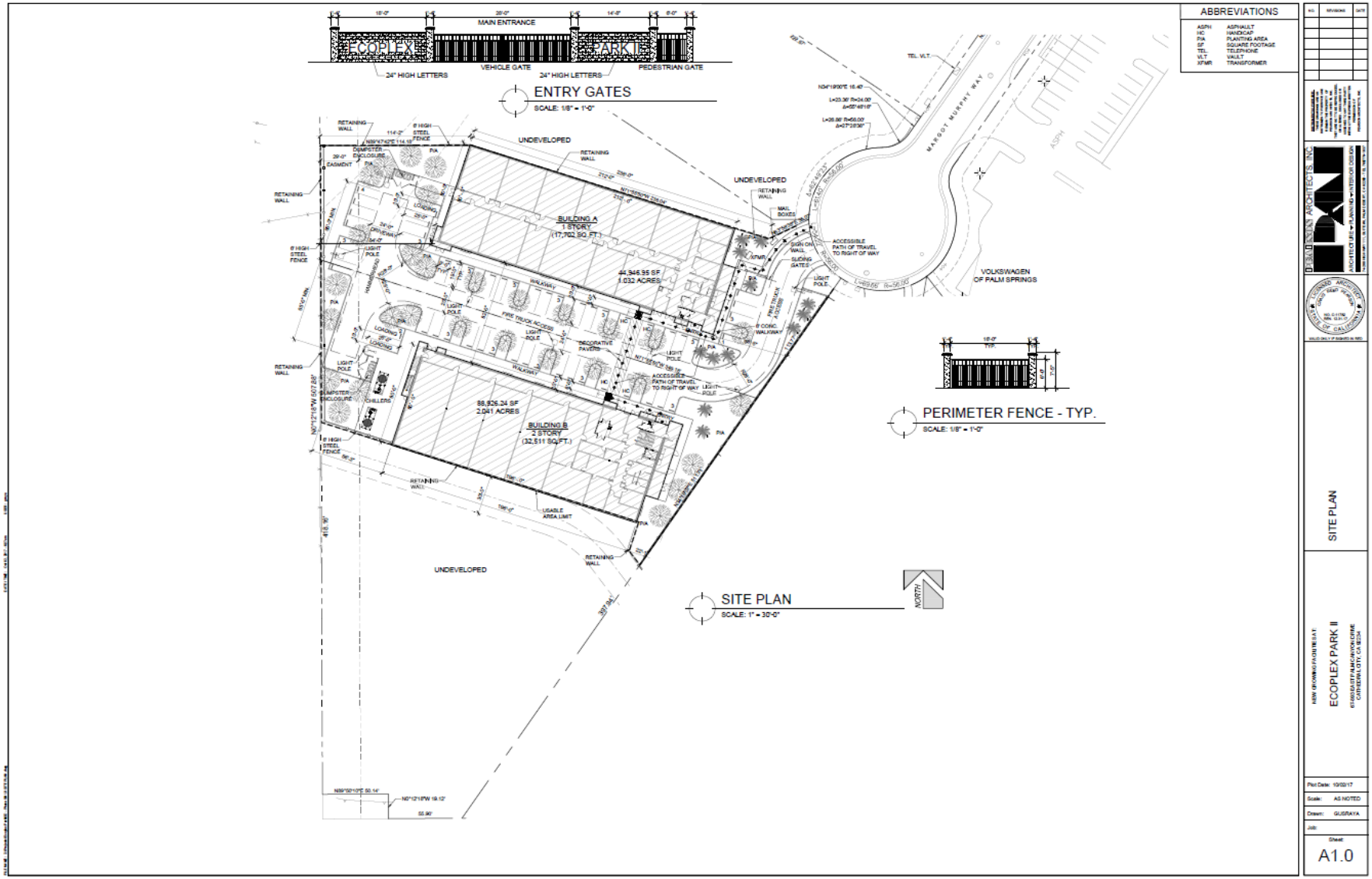


Figure 2-8: Building "A" Elevations

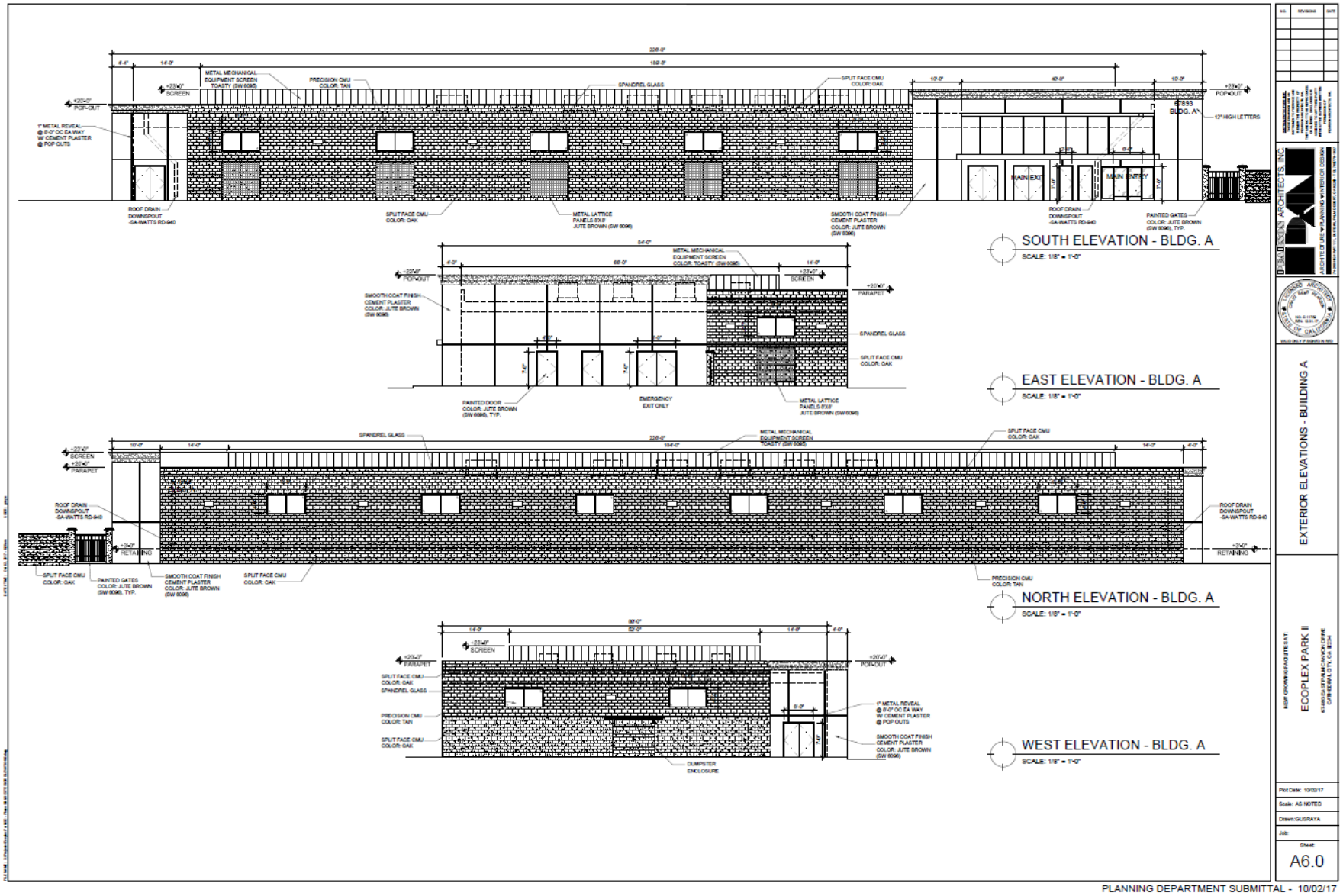
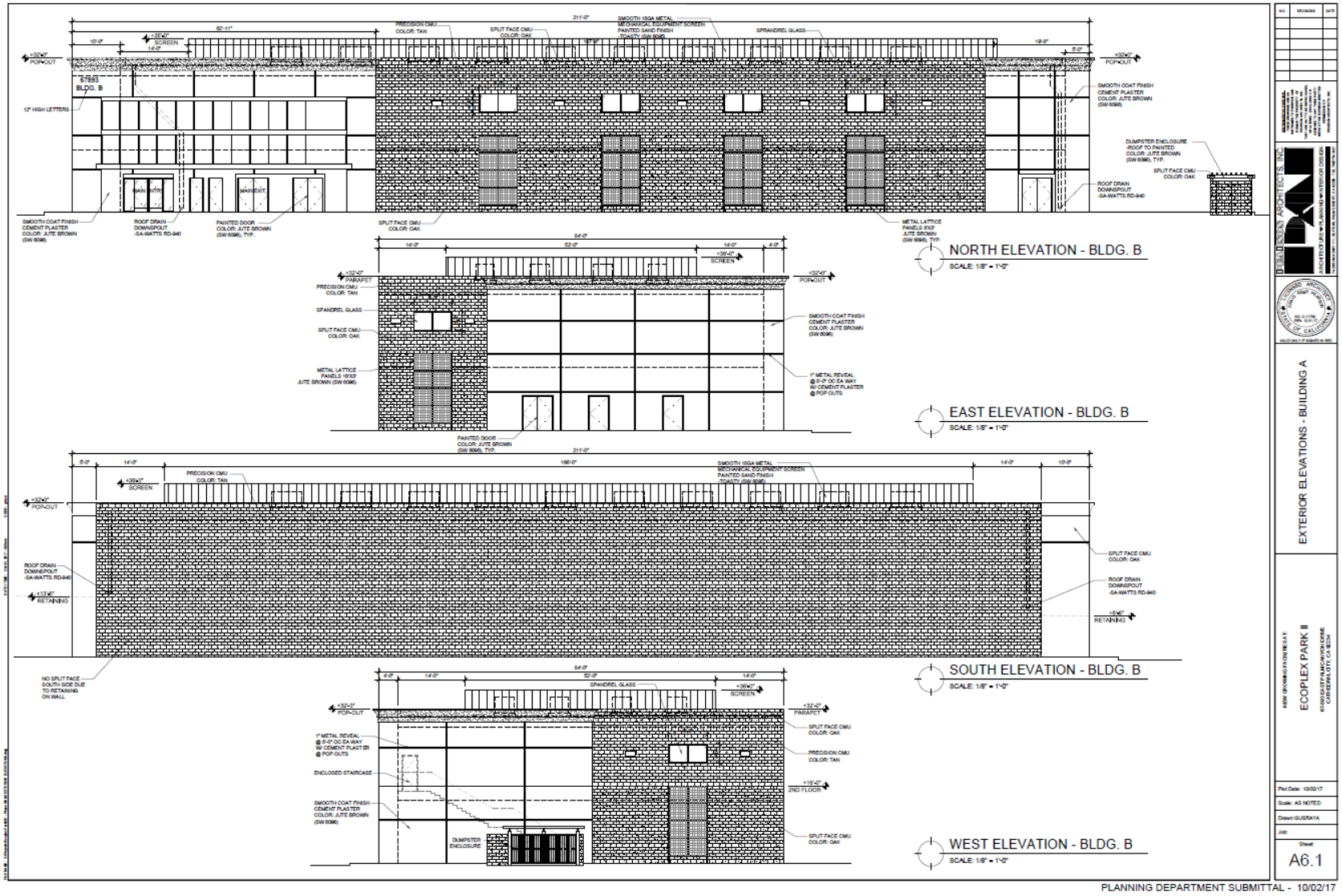


Figure 2-9: Building "B" Elevations



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Chapter 3 – ENVIRONMENTAL CHECKLIST

1. **Project title:**

   Ecoplex Park II
   Conditional Use Permit (CUP) 17-029
   Tentative Parcel Map (TPM) 37355

2. **Lead Agency:**

   City of Cathedral City
   68-700 Avenida Lalo Guerrero
   Cathedral City, CA 92234

3. **Contact person:**

   Robert Rodriguez, Planning Manager
   Planning Department
   City of Cathedral City
   68-700 Avenida Lalo Guerrero
   Cathedral City, CA 92234
   760-770-0344 / rrodriguez@cathedralcity.gov

4. **Project location:** The project site is located within the City of Cathedral City, Riverside County, California. The project site is a vacant property that is identified as a portion of APN 687-510-049. 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:**

   Alex Gonzales
   Mountain Edge Collective
   30875 Date Palm Drive
   Cathedral City, CA 92234

6. **General Plan Designation:** CG (General Commercial)/OS (Open Space)

7. **Zoning Designation:** PCC (Planned Community Commercial)/OS (Open Space)

8. **Prior Environmental Documents:** Initial Study/Mitigated Negative Declaration for the phase I of the Ecoplex Park project and Eagle Canyon Dam EIR

9. **Project Description:** The project involves the subdivision of a 3.07-acre property into two parcels and construction of a warehouse type building on each parcel for the purpose of cannabis cultivation. The project requires approval of a Conditional Use Permit (CUP) 17-029 and Tentative Parcel Map (TPM) 37355.

   The TPM will result in Parcel I that will comprise 1.032 acres and Parcel II that will comprise 2.041 acres. Building A, a single-story, 17,702-square-foot building, will be constructed on Parcel I. Building B, a two-story, 32,511-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 mutual easement 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.

Entrance to both parcels will be from a single driveway off of Margot Murphy Way. A total of 48 off-street parking spaces and three loading spaces will be provided for the project. 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 irregularly shaped property located at the terminus of Margot Murphy Way, a private road off of East Palm Canyon Drive. The majority of the site slopes gently in a west to east direction. The southerly tip of the site has a rocky slope that rises sharply 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. 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 and remains in a natural state. With the exception of several palm trees, the site has little vegetation.

11. **Regional Setting:** The project site is located 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, a private road located on the south side of East Palm Canyon Drive between Perez Road and Canyon Plaza Drive. Vacant undeveloped land surrounds the project site on all sides. However, there are auto repair shops fronting on Perez Road just to the east and southeast and an auto dealership and shopping center to the north. Approximately 500 feet southwest of the project site west is the Eagle Canyon Dam. The foothills of the San Jacinto Mountains are located south of the project site.

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

    Desert Water Agency (DWA)

    South Coast Air Quality Management District (SCAQMD)

    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.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☐ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Tribal Cultural Resources	☐ Utilities/Service Systems
☐ 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

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EVALUATION OF ENVIRONMENTAL IMPACTS

I. Aesthetics

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

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 can be seen from almost every location in the City. The City's General Plan Community Image and Urban Design Element 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:

Community Image and Urban Design Element:

> Goal 2: Community design, architecture, and landscaping that enhance and are compatible with the City's desert setting and natural scenic resources.

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 smart-growth community.

Land Use Element

Goal 1 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.

Figure 3-1 View of project site from East Palm Canyon Drive

Figure 3-2 View across site from Margot Murphy Way

Figure 3-3 Photo simulation of project from Margot Murphy Way

CHECKLIST RESPONSES

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

a. **Less than significant impact.** The project site is located at the base of the San Jacinto Mountains northern foothills. As shown in Figure 3-1, unobstructed views of the San Jacinto Mountains are visible from East Palm Canyon Drive and from residences and businesses north of 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. Both buildings will have long profiles; 211 feet for Building B and 226 feet for Building A. As a result, the building height and massing will have an impact on scenic vistas of the mountains from the north. Therefore, a significant impact could occur if the project introduced a structure that would block or significantly detract from the existing aesthetic quality of the scenic vista. In this case, the scenic vista from East Palm Canyon Drive and the properties to the north could be impacted by the construction of the two buildings.

   However, the proposed buildings will only have a slight impact on the existing scenic views since the site grading will involve cutting into the existing slope to create level building pads. Consequently, the lower pad heights will reduce the visual impact. Building B will be approximately eight to 13 feet below the adjacent grade to the south. A significant portion of the mountains will remain visible from East Palm Canyon Drive after construction of the project. As shown in Figure 3-3, the proposed buildings will only block a small portion of the view of the mountains and, therefore, will only have a minor impact on the scenic vista from East Palm Canyon.

   The elevations and landscape plans require review by the City's Architectural Review Committee 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. The rough texture of the exterior walls and muted brown and tan colors of the buildings will blend with the mountains. As such, the project will be designed to complement its surroundings. Landscaping will soften the appearance from the road. Therefore, the project will result in a less than significant impact on a scenic vista.

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

b. **Less than significant impact.** The project site is located on Margot Murphy Way, a private street that begins at East Palm Canyon Drive and terminates in a cul-de-sac on the north side of the project site. East Palm Canyon Drive in the vicinity of the site is not a designated state scenic highway. However, the California Department of Transportation (Caltrans) website shows that East Palm Canyon Drive/Highway 111 between State Route 74 and Interstate 10 is eligible for designation as a state scenic highway due to the scenic vistas of the mountains to the south and southwest. As discussed under section 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 on the site and surrounding area that are considered scenic resources. Therefore, the project will result in a less than significant impact to scenic resources within a state scenic highway.

c) 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, which will remain undisturbed with construction of the project.

The buildings have been designed to complement the rocky slopes of the mountains in the brown and tan colors 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 buildings will be similar in architectural style, textures and exterior colors with phase 1 of the Ecoplex Park project that was recently approved to the west. The landscaping and site plan configuration will also be similar to that project.

The proposed project will be consistent with the City's General Plan, Zoning Ordinance and Cathedral City Downtown Design Guidelines. The project requires review by the Architectural Review Committee 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.

d) 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 project 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 light spillover that would affect day or nighttime views.

II. Agriculture and Forest Resources

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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 southwest, and vacant commercially zoned properties on the north, west, and east. All of the adjacent vacant commercially zoned properties have also been graded and contain 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, east and west are zoned PCC (Planned Community Commercial). Properties further 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 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 are not 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, east and west are not zoned for such uses. The northern slopes of the San Jacinto Mountains border the site to the south. The area of the San Jacinto Mountains directly adjacent to the project site is not in use for either agriculture or forestry. The rocky slopes of the mountains are not conducive to either agriculture or forestry production. As such, the project would not result in any impacts to agriculture or forestland resources.

III. Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☒	☐	☐

AIR QUALITY BACKGROUND

The *Ecoplex Park Air Quality and Climate Change Impact Analysis* report dated July 3, 2017 was prepared for the proposed project by Kunzman Associates, Inc. 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 both Ecoplex Park Phase 1 and Phase 2. The report provides separate analyses for each project as well as a cumulative analysis. The following discussion provides a summary of the report's background section and presents specific findings for Phase 2. The complete report is included as Appendix A.

Atmospheric Setting

The project site is within the Salton Sea Air Basin (SSAB), which is part of the area covered by the South Coast Air Quality Management District (AQMD), the agency with primary responsibility for comprehensive air quality control within an area of Southern California covering 10,743 square miles. The AQMD covers three air basins

that include portions of Los Angeles, Riverside and San Bernardino counties and all of Orange County. Within Riverside County, the AQMD 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, which is responsible for development of the regional Air Quality Management Plan (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 Requirements

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 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 AQMP is a regional blueprint for achieving federal air quality standards.

The most recent AQMP for the SCAB is the draft 2016 AQMP released by the SCAQMD. 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 AQMP 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. Rule 403.1 places 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.

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.

AIR QUALITY STANDARDS – 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. 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 (NO2), sulfur dioxide (SO2), 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. The state and federal ambient air quality standards are shown in Table 3-1.

Table 3-1 – State and Federal Criteria Pollutant Standards

Air Pollutant	Concentration / Averaging Time		Most Relevant Effects
	California Standards	Federal Primary Standards	
Ozone (O_3)	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_2)	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_2)	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_{10})	50 µg/m^3/24-hour 20 µg/m^3/annual	150 µg/m^3/24-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 ($PM_{2.5}$)	12 µg/m^3 / annual	35 µg/m^3/24-hour 12 µg/m^3/annual	
Sulfates	25 µg/m^3/24-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^3/30-day	0.15 µg/m^3/3-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.

Source: arb.ca.gov/research/aaqs/aaqs2.pdf

The EPA and the California Air Resource Board (CARB) designate air basins where ambient air quality standards are exceeded as "nonattainment" areas. If standards are met, the area is designated as an "attainment" area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered "unclassified." National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards. Attainment status for the SSAB is shown in Table 3-2.

Table 3-2 – Salton Sea Air Basin Attainment Status

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

Source of State Status: California Air Resources Board 2011
Source of National status: US EPA 2012

As shown in Table 3-2, 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 3-3 – SCAQMD Air Quality Significance Thresholds for Coachella Valley

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 ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
GHG	10,000 MT/yr CO2e for industrial facilities	
Ambient Air Quality Standards		
Pollutant	SCAQMD Standards	
NO2 -1-hour average	0.18 ppm (338 µg/m^3)	
PM10 -24-hour average Construction Operations	 10.4 µg/m^3 2.5 ug/m^3	
PM2.5 -24-hour average Construction Operations	 10.4 µg/m^3 2.5 µg/m^3	
SO2 1-hour average 24-hour average	 0.25 ppm 0.04 ppm	
CO 1-hour average 8-hour average	 20 ppm (23,000 µg/m^3) 9 ppm (10,000 µg/m^3)	
Lead 30-day average Rolling 3-month average Quarterly average	 1.5 µg/m^3 0.15 µg/m^3 1.5 µg/m^3	

Source: http://www.aqmd.gov/ceqa/handbook/signthres.pdf

Note: 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.

Table 3-4 – Air Quality Monitoring Summary

Pollutant (Standard)[2]	Year		
	2014	2015	2016
Ozone:			
Maximum 1-Hour Concentration (ppm)	0.108	0.102	0.103
Days > CAAQS (0.09 ppm)	**9**	**3**	**6**
Maximum 8-Hour Concentration (ppm)	0.093	0.093	0.092
Days > NAAQS (0.070 ppm)	**55**	**47**	**46**
Days > CAAQS (0.070 ppm)	**61**	**51**	**48**
Carbon Monoxide:			
Maximum 8-Hour Concentration (ppm)	*	*	*
Days > CAAQS (9 ppm)	0	0	0
Days > NAAQS (9 ppm)	0	0	0
Nitrogen Dioxide:			
Maximum 1-Hour Concentration (ppm)	0.0463	0.0415	0.0426
1-Hour 98th Percentile	0.0412	0.0377	0.0344
Annual Average (ppm)	*	0.006	0.006
Days > CAAQS (0.18 ppm)	0	0	0
Inhalable Particulates (PM10):			
Maximum 24-Hour Concentration (ug/m^3)	313.8	199.0	447.2
Days > NAAQS (150 ug/m^3)	**1**	**1**	**1**
Days > CAAQS (50 ug/m^3)	**2**	**2**	*
Annual Average (ug/m^3)	25.4	20.9	23.1
Ultra-Fine Particulates (PM2.5):			
Maximum 24-Hour Concentration (ug/m^3)	15.5	22.7	14.7
Days > NAAQS (35 ug/m^3)	0	0	0
Annual Average (ug/m^3)	*	*	5.4

Source: http://www.arb.ca.gov/adam/
Data from Palm Springs monitoring station unless noted
[2]CAAQS: California Ambient Air Quality Standard; NAAQS: National Ambient Air Quality Standard; ppm = parts per million
*Insufficient data available

Regional Air Quality

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 3-3.

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 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.

The significance thresholds for local emissions of NO_2 and CO are determined by subtracting the highest background concentrations from the last three years of these pollutants shown in Table 3-4 Air Quality Monitoring Summary from the most restrictive ambient air quality standards for these pollutants that are outlined in the Localized Significance Thresholds. Table 3-3 shows the ambient air quality standards for NO2, CO, and PM_{10}, and $PM_{2.5}$.

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.

CHECKLIST RESPONSES:

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

a. **No impact.** SCAQMD recommends that Lead Agencies use two criteria for determining a project's consistency with the applicable AQMP. The SCAQMD CEQA Handbook identifies the two criteria as:

    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 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, 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.

Although the project site has two General Plan land use designations, only the area designated as "CG" (General Commercial) in the General Plan will be developed. 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 not result in an impact from a conflict with or obstruction of the implementation of the applicable air quality plan.

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

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

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.

Air Quality Impact Analysis Construction Assumptions

Construction activities associated with the proposed project would have the potential to generate air emissions, toxic air contaminant emissions, and odor impacts. (Assumptions for the air quality impact analysis were provided by the applicant.) The air quality analysis for short-term construction impacts for Ecoplex Park Phase 2 project were anticipated to include: 1) construction of 50,197 square feet of buildings; 2) paving of a 50-space parking lot; 3) landscaping and undeveloped areas of 1.473 acres; and 4) application of architectural coatings. Construction of the overall Ecoplex Park project (Phase 1 and

Phase 2) was estimated to include 25,000 cubic yards of export. (Mass site grading of 5.88 acres for both phases was included in the analysis for the Ecoplex Park Phase 1 and not for Phase 2.)

Ecoplex Park Phase 2 construction was estimated to begin no sooner than January 2019 and be completed by December 2019.

SCAQMD Rules 403 and 403.1 require that fugitive dust generating activities follow best available control measures to reduce emissions from fugitive dust. Compliance with these rules is achieved through application of standard best management practices in construction and operation activities, such as application of water or chemical stabilizers to disturbed soils, managing haul road dust by application of water, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 mph, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph and establishing a permanent and stabilizing ground cover on finished sites. 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 3-5: Construction-Related Regional Pollutant Emissions for Ecoplex Park II

Phase 2						
	Pollutant Emissions (pounds/day)					
Activity	ROG	NOx	CO	SO_2	PM10	PM2.5
Building Construction						
On-Site[2]	2.36	21.08	17.16	0.03	1.29	1.21
Off-Site[3]	0.32	2.45	2.36	0.01	0.60	0.17
Subtotal	2.68	23.53	19.52	0.04	1.89	1.39
Paving						
On-Site[2]	1.39	12.76	12.31	0.02	0.72	0.66
Off-Site[3]	0.09	0.05	0.69	0.00	0.17	0.05
Subtotal	1.48	12.81	13.00	0.02	0.89	0.71
Architectural Coating						
On-Site[2]	45.52	1.84	1.84	0.00	0.13	0.13
Off-Site[3]	0.05	0.03	0.38	0.00	0.09	0.03
Subtotal	45.57	1.87	2.22	0.00	0.22	0.15
Total for overlapping phases[4]	49.73	38.21	34.74	0.06	3.00	2.25
SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	No	No	No	No	No	No

Source: Table 8, *Ecoplex Park: Air Quality and Global Climate Change Impact Analysis*, July 3, 2017, Kunzman Associates

[2] On-site emissions from equipment operated on-site not operated on public roads

[3] Off-site emissions from equipment operated on public road.

[4]Construction, painting and paving phases may overlap.

As shown in Table 3-5, 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, construction of the project would result in a less than significant impact on regional air quality impact

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. Based on the year 2019, the anticipated opening year, the CalEEMod analyzed operational emissions from area sources, energy usage, and mobile sources.

Mobile sources include additional vehicle miles generated from the proposed project. The vehicle trips were from the traffic impact analysis (TIA) in June 2017. The TIA analysis found that Ecoplex Phase 2 would generate 148 trips per day.

Area sources included emissions from consumer products, landscape equipment, and architectural coatings. Energy usage included in the analysis included emissions from use of electricity and natural gas on the site.

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 are summarized in Table 3-6. The results show that the proposed project would not exceed SCAQMD regional thresholds for operation of the proposed project. Therefore, a less than significant impact would occur from operation of the proposed project.

Furthermore, Table 3-7 shows that when maximum daily construction emissions (from the highest-emitting construction phases) are added to the unmitigated operational emissions of completed phases, the total emissions still meet AQMD thresholds. Therefore, a less than significant regional air quality impact would occur from operation of the proposed project.

Table 3-6 Regional Operation Pollutant Emissions for Ecoplex Phase 2

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

Source: Kunzman Associates, Inc., Ecoplex Park Air Quality and Global Climate Change Impact Analysis, March 31, 2017

Table 3-7 Overlapping Regional Construction and Operational Emissions [1]

Activity	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO_2	PM10	PM2.5
Total for Phase 1 plus construction Phase 2	51.41	40.14	37.60	0.07	3.66	2.46
SCAQMD Operational Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Threshold?	No	No	No	No	No	No

Source: Kunzman Associates, Inc., Ecoplex Park Air Quality and Global Climate Change Impact Analysis, March 31, 2017

Cumulative Regional Air Quality Impacts

Cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources that travel well outside the local area. 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, industrial development, and the use of heavy equipment and trucks associated with construction. Air quality will only be temporarily degraded during construction activities 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: 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 a cumulatively considerable net increase in any criteria pollutant for which the region is in non-attainment.

d) Expose sensitive receptors to substantial pollutant concentrations?

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 residences, schools, hospitals, convalescent facilities, and other places 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 (200 meters) north of the project site.

Construction-Related Local Air Quality Impacts

Construction-related air emissions from the project may have the potential to exceed 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 portion of the SCAB. The project was analyzed for potential local air quality impacts derived from construction-related fugitive dust and diesel emissions, toxic air contaminants, and construction-related odor impacts.

Localized Significance Thresholds (LSTs) represent the maximum emissions from the project site that would not exceed national or state AAQS. The SCAQMD's "Fact Sheet for Applying CalEEMod to Localized Significance Thresholds" (SCAQMD 2011b) was used in the air quality analysis to compare the CalEEMod findings and the SCAQMD'S LSTs. CalEEMod was used to calculate construction emissions based on the number of equipment hours and the maximum daily disturbance activity possible for each piece of equipment for the project.

The SCAQMD provides the LST lookup tables for one, two-, and five-acre projects emitting CO, nitrogen oxides (NOX), PM10 and PM2.5. 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.

To be conservative, the SCAQMD Look-up Tables for 50 meters was used for the different construction phases for Phase 1 and the calculated LST emissions thresholds.

Table 3-8 shows the results of the calculation of on-site emissions from construction at 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 emissions impacts on sensitive receptors.

Table 3-8 – Local Construction Emissions at the Closest Receptors

Phase 1 Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5
Mass Site Grading	26.16	10.78	3.83	2.51
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[2]	**225**	**1,931**	**22**	**7**
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 50 meters in the Coachella Valley (SRA 30) (Air Quality and Global Warming Analysis, Kunzman, 7/3/17) [2]For SCQAMD thresholds see Table 3-3.

Toxic Air Contaminants

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the proposed project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of "individual cancer risk". "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the relatively limited number of heavy-duty construction equipment and the short-term construction schedule, the proposed project would not result in a long-term (i.e., 30 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. Furthermore, construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any local or regional thresholds. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed project. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed project.

Operations-Related Local Air Quality Impacts

Hot Spot-Related 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. 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 Impact Analysis prepared for both phases of the Ecoplex Park project showed that at project buildout the proposed project (Phase 1 and 2) would generate 240 trips per day from both phases. The intersection with the highest peak hour traffic volume in the project vicinity is Margot Murphy Way and East Palm Canyon Drive, which has a PM peak-hour volume of 2,245 trips for the year 2035.

Based on the 1992 Federal Attainment Plan for Carbon Monoxide, the traffic expected to be generated by the project falls far short of the 100,000 vehicles per day. 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.

On-Site Operations

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 to lack of stationary source emissions, no long-term localized significance threshold analysis is warranted.

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.

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

e. **Less than significant impact with mitigation.** The SCAQMD CEQA Handbook states that an adverse odor impact 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 operational 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 cannabis plant blossom odors and disposal of miscellaneous commercial refuse. Pursuant to Cathedral City Zoning Code (CCZC) Section 9.108.050, all cannabis cultivation must occur within an enclosed locked structure. Pursuant to CCZC Section 9.108.080, cannabis cultivation businesses are required as a condition of approval to install an odor absorbing ventilation and exhaust system such that odors produced inside the building are not detectable outside the building. Violation of conditions of approval for cannabis businesses is considered a public nuisance and subject to revocation of the conditional use permit or other enforcement mechanisms.

In addition, SCAQMD Rule 402 acts to prevent occurrences of odor nuisances. Violation of Rule 402 can result in penalties imposed by the SCAQMD for odor complaints that are considered a public nuisance. 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 as a mitigation measure AQ-1. Compliance with CCMC section 9.108.080 requires that as a condition of approval of a cannabis cultivation facility, the applicant must submit plans showing an air filtration system to reduce odors outside the buildings. If after beginning of operation of the cannabis cultivation facility, odors are emitted from the project that are detectable from outside the buildings, it may be considered a public nuisance and the City may seek a remedy to the violation or revoke the conditional use permit. Therefore, the project will result in less than significant impact from objectionable odors with implementation of mitigation.

Mitigation Measures

AQ-1: Before issuance of grading permits, the developer/applicant shall provide plans, or equivalent proof, that the project will be equipped with an odor absorbing ventilation and exhaust system acceptable to the City Engineer, in compliance with CCMC section 9.108.080 A.1. The odor infiltration system shall be reviewed and approved by the City before issuance of building permits.

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.A.1 that states that every cannabis business conditional use permit shall include the following condition of approval:

"The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the cannabis business that is distinctive to its operation is not detached outside the cannabis business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the cannabis business. As such, cannabis businesses must install and maintain the following equipment or any other equipment which local licensing authority determines has the same or better effectiveness:

a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or

b. An air system that creates negative air pressure between the cannabis business' interior and exterior so that the odors generated inside the cannabis business are not detectable outside the cannabis business."

RR-4 All cannabis businesses are subject to City Municipal Code Section 9.108.130 Enforcement, "The operation of a cannabis business in violation of any conditions of approval of the provisions of this chapter or Chapter 9.72 is a violation of this code, and a public nuisance. The City may seek to remedy such violations by any means provided for in law or equity, including but not limited to the enforcement mechanisms and remedies provided for in Title 13 of this code, or take action to revoke the conditions use permit pursuant to Section 9.72.1340."

IV. Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Biological Resources Assessment

A habitat assessment was prepared for the proposed project in combination with the Ecoplex Park Phase 1. The report titled *Habitat Assessment APN 687-510-049 and APN 687-510-050* (Appendix B) was completed by Gonzales Environmental Consulting on June 12, 2017. The purpose of the report was to assess the potential for the proposed project and Ecoplex Park Phase I 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 is also covered with infill soil from the Eagle Canyon Dam project. The majority of the site slopes gently east to west. The southerly corner of the site, which comprises approximately one fifth of the overall site, has a rocky steep slope, which rises towards the north slopes of the San Jacinto Mountains. A 30-foot-wide easement for the Eagle Canyon Dam drainage pipe generally separates the graded portion of the site from the southern 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.

The project site is surrounded by vacant undeveloped properties. The properties to the north, west, and east have also been graded and contain little vegetation. Phase I of the Ecoplex Park project, consisting of a 43,444-square-foot cannabis cultivation facility, was recently approved by the City for 2.8-acre site property adjacent to the east. The areas further east and northeast of the project site are developed with auto repair shops fronting on Perez Road and an auto dealership on the east side of Margot Murphy Way to the northeast. The Eagle Canyon Dam is located approximately 500 feet southwest of the project site.

Figure 3-4: Aerial Photo of Site and Surrounding Area and Proximity to the Eagle Canyon Dam

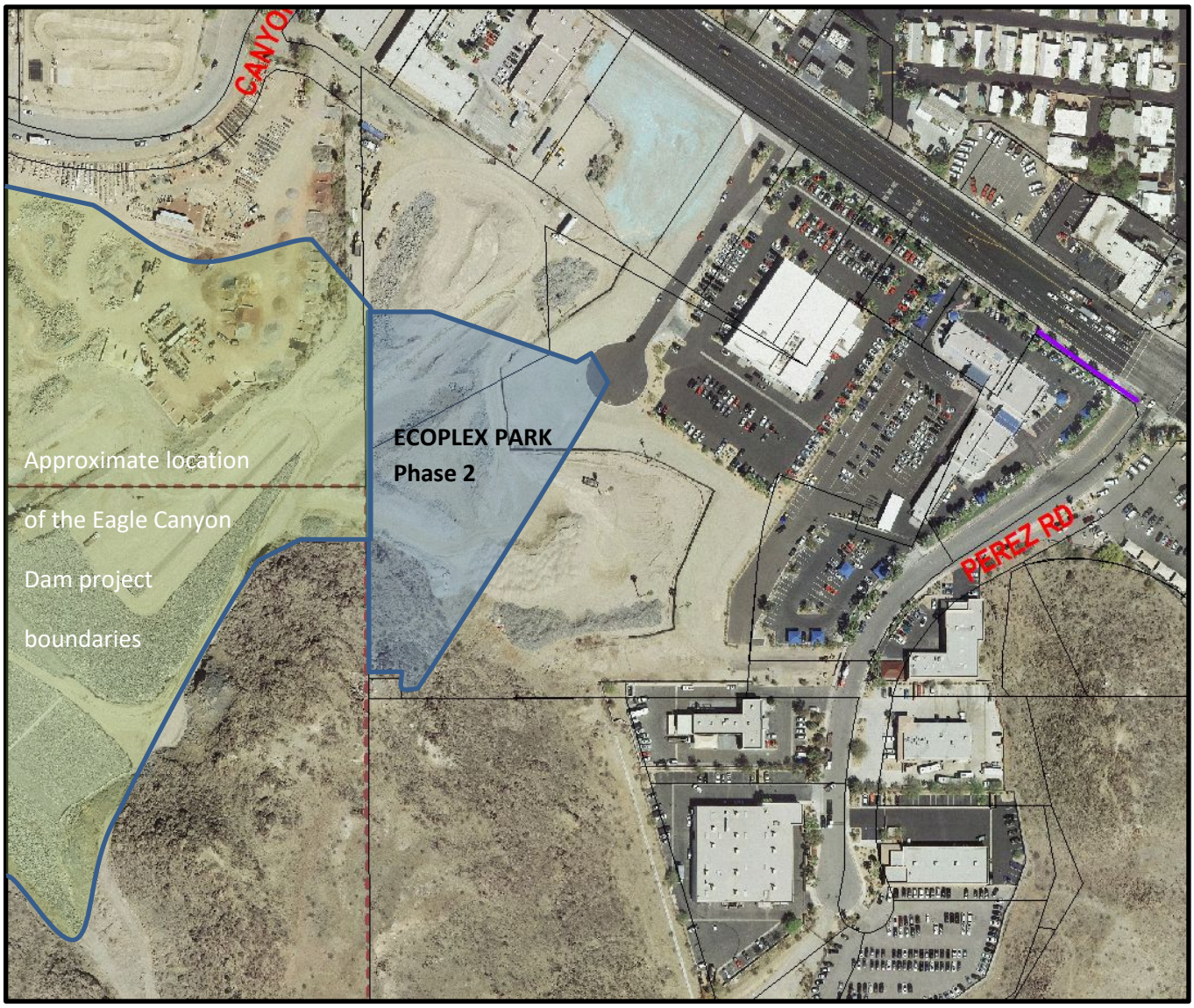
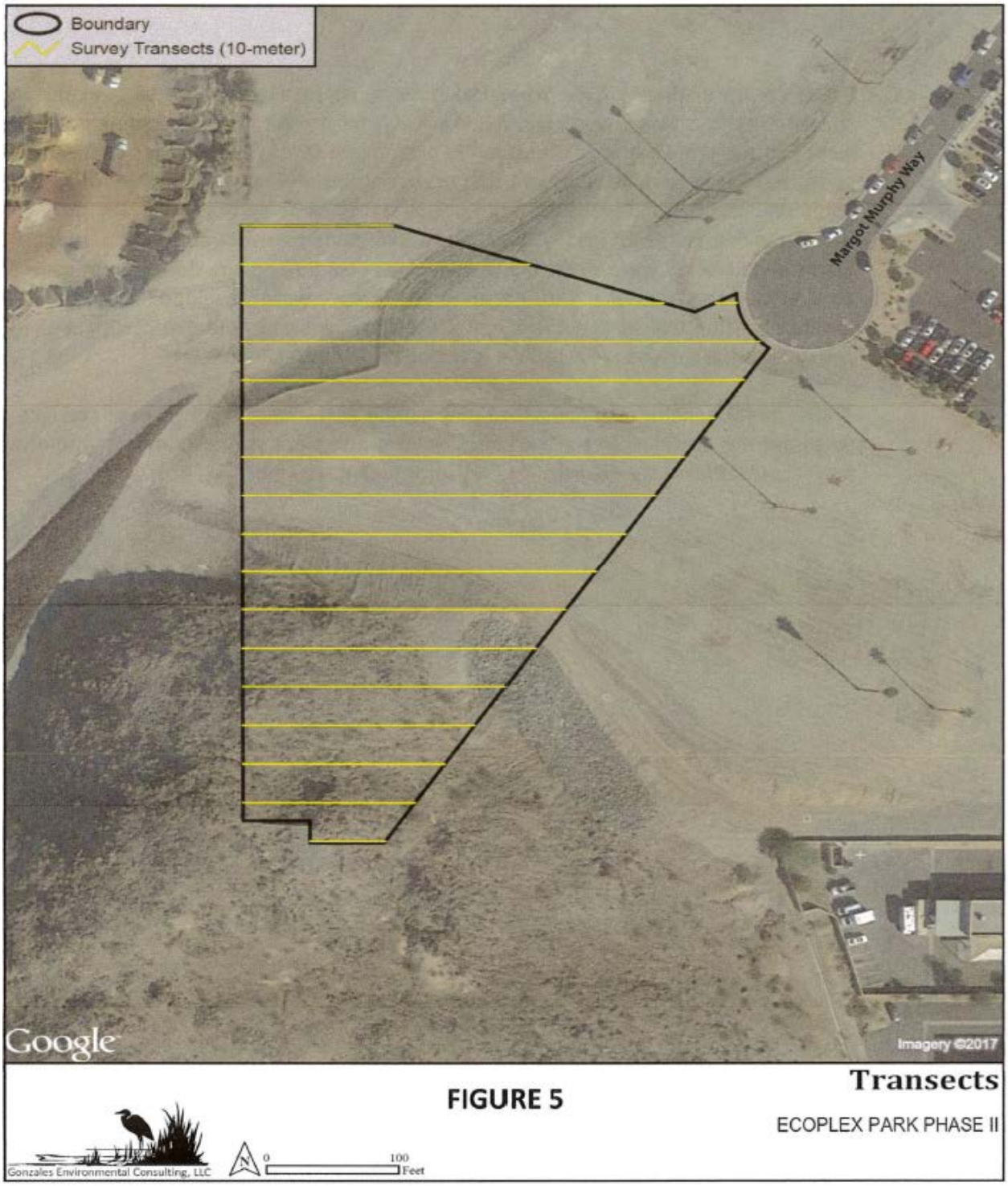


Figure 3-5: Aerial Photo of Site and Surrounding Area with Bio Survey Transepts



Source: Gonzales Environmental Consulting, *Habitat Assessment APN 687-510-049 and 687-510-050,* June 12, 2017

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)

Agua Caliente Tribal Habitat Conservation Plan

The project site is located within Agua Caliente Band of Cahuilla Indians (ACBCI) Reservation and, as a result, is subject to the Agua Caliente Tribal Habitat Conservation Plan (THCP). Tribal governments have regulatory and management authority within their reservation areas including management of biological resources located within those areas. 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 has adopted the Tribal Habitat Conservation Plan (THCP), was adopted in 2010 to manage biological resources within the ACBCI reservation. The Tribe's main purposes in adopting the HCP are to:

1) Continue to exercise the Tribe's 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, but may require additional permits from the federal government if endangered species are found on a project site.

The THCP provides the means to protect and contribute to the conservation of federally listed species or those deemed by the ACBCI 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.

The primary conservation mechanism provided by the THCP is the protection of significant areas of covered species habitat through adoption of new development standards and creation of a habitat preserve to be

managed by the ACBCI Tribe. Habitat conservation is accomplished partially through payment of a fee by project proponents that is used to acquire and manage preserved lands.

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 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 THCP. 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.

California Endangered Species Act

The California Endangered Species Act (Fish and Game Code section 2080, et seq.) (CESA) requires State lead agencies to consult with the California Department of Fish and Game (CDFG) during the CEQA process to avoid jeopardy to threatened or endangered species.

California Regional Water Quality Control Board

Water quality certification is required for discharges of dredged and fill materials. By federal law, every applicant for a federal permit or license for an activity that may result in a discharge into a water body must request state certification that the proposed activity will not violate state and federal water quality standards. Water quality standards include beneficial uses of water, water quality objective and antidegradation policy.

Regional Water Quality Control Boards (RWQCB) have jurisdiction over similar "wetlands" and "waters of the Untied State" under Section 401 of the Clean Water Act (CWA) and the Porter-Cologne Water Quality Control Act (Porter-Cologne). Permitting activities that would result in a discharge of soils, nutrients, chemicals, or other pollutants into the waters of the United States or adjacent wetlands, which would affect the water quality of those bodies of water and the area watershed, are regulated by the RWQCB. The RWQCB also regulates discharge activities affecting waters of the State as defined in Porter-Cologne. Isolated, non-navigable waters (e.g. vernal pools) are covered under Porter-Cologne. Statewide waste discharge requirements for dredged or fill discharges to waters deemed by the Army Corps of Engineers (ACOE) to be outside federal jurisdiction have been in effect since May 19, 2004.

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 of the site and surrounding area with 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

General and reconnaissance surveys of the project site and adjacent areas were conducted in May 2017 to determine the presence of sensitive species and to assess habitats for potential presence of special status wildlife 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 CNDDB 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.

Based on the findings of the biological surveys, no focused habitat assessment and species-specific surveys were scheduled within the project area. A complete floristic survey of the project area as required in a complete CEQA analysis was conducted in spring 2017 to determine whether listed or special status plant species or sensitive plant communities occur. The listed and special status plants surveys followed protocols recommended by federal and state guidelines.

Burrowing Owl

The burrowing owl is a federal and state listed species of special concern and a US Fish and Wildlife Service Migratory Nongame bird of Management concern. The burrowing owl is subject to the MBTA and subject to additional surveying if one is found or habitat is found on the site.

The THCP also requires that a habitat assessment be conducted to address potential impacts to the burrowing owl and streambed resources. If potential habitat is found to be present, then focused surveys are required.

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 that have the potential to occur on the site due to the disturbed condition. No special status plant or wildlife species that have to potential to occur 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 to the ACBCI Tribe. Table 3-9 shows the THCP-covered species expected to occur on the site, results of the biological surveying and analysis and potential impacts.

Table 3-9: 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.
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.

Source: Gonzales Environmental Consulting, *Habitat Assessment APN 687-510-049 and 687-510-050,* June 12, 2017

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 during surveying. The survey results found that here is some potential for burrowing owls to occur on the project site in the future due to the presence of suitable habitat and burrowing owls can 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:

a) 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 report, the project site has the potential to result in impacts to sensitive species due to loss of habitat resulting from development within the project site. 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. Impacts to most sensitive species would be relatively minor due to the site's disturbed conditions and any special species with the potential to occur would be mitigated through payment of the THCP fee that goes to preserving existing habitat conservation areas.

   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.

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

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.

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?

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.

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?

d. **Less than significant impact.** The project site was evaluated for its potential to act as a wildlife corridor by observations during the surveying for evidence of habitat suitability and evidence that it serves as a corridor connected to other habitat areas and use as foraging grounds. The project site consists of mostly highly disturbed infill soils. Although the site is adjacent to undeveloped urban land, the areas to the west, east and north are located within commercial zones and are highly disturbed due to grading and presence of infill soils. The rocky outcroppings in the southeast corner of the site are located within the Open Space zone and 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.

e) 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 applicable General Plan policies and programs relating to the conservation of biological resources in the City. Biological surveys were conducted for the project to assess impacts to biological resources that have the potential to occur in the area 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.

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?

f. **No impact.** The project site is located within the boundaries of the ACBCI Reservation and is subject to the THCP. The overall purpose of the THCP is conservation of open space and protection of 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 a designated conservation area where development is limited. However, the Mountains and Canyons Conservation Area of the THCP is adjacent to the south. Since the southern tip of the property will remain undeveloped, it will act as provide a buffer area between conservation area to the south and area to be developed.

Since the site is within THCP boundaries, the developer is required to pay a fee to offset incremental impacts to plants and wildlife from loss of habitat.

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 in 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.

Mitigation Measures:

BIO-1. Before issuance of any building permit for the project, a pre-construction survey using the proper USFWS and CDFW protocols shall be conducted for the burrowing owl no more than five days before any ground-disturbing activities. 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 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 for 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

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

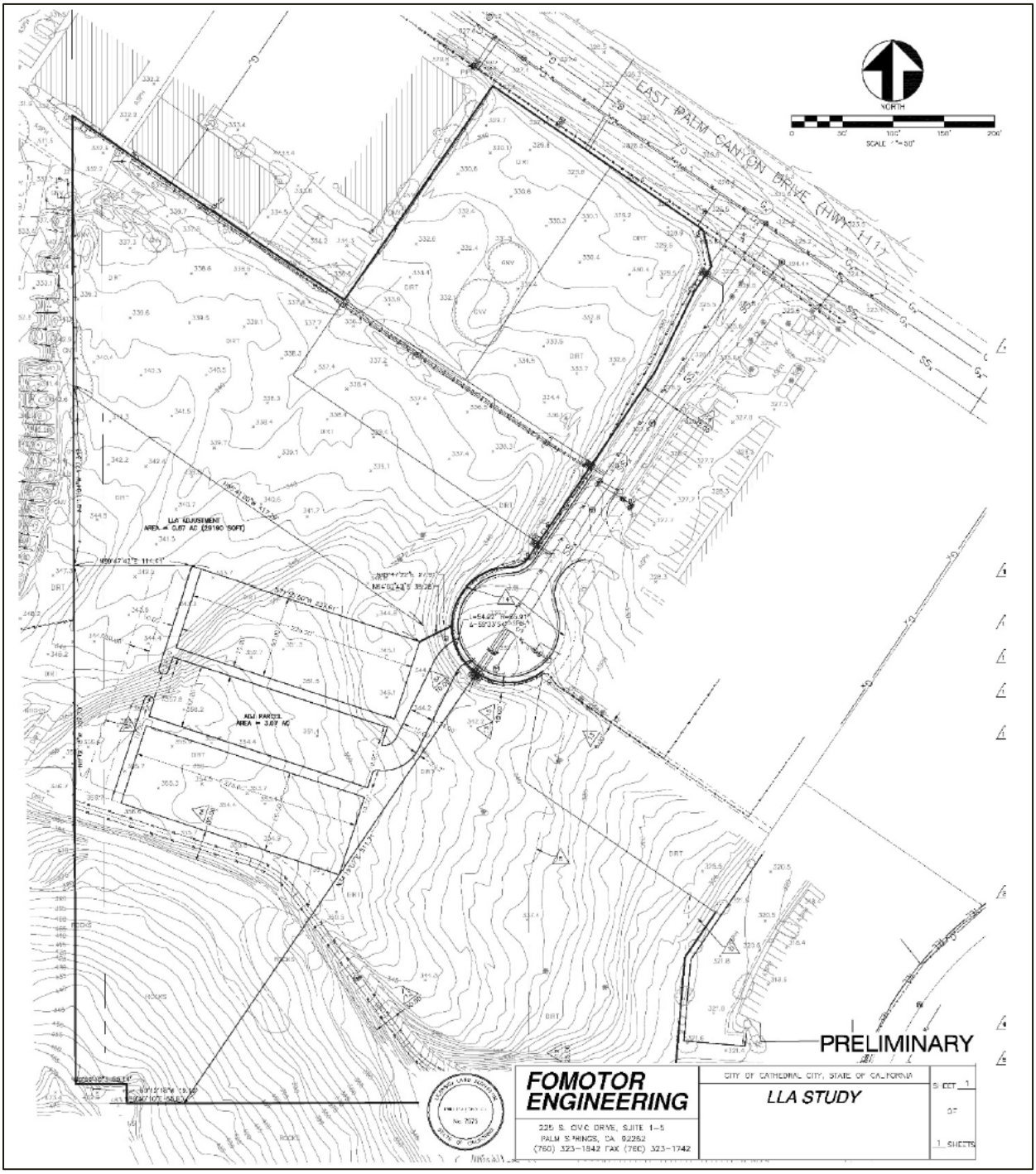
CULTURAL RESOURCES BACKGROUND

A cultural resources study (Appendix C) dated May 25, 2017 was prepared for both Phase 1 and Phase 2 of the Ecoplex Park project by ASM Affiliates to determine if the project site (both phases) and surrounding area harbored or had to potential to harbor prehistoric or historic resources. The area included for review by ASM in their records search and field survey covering a ten-acre area that included the project site, the adjoining site for Phase 1 of the Ecoplex Park project and additional property adjacent to the south between the project site and East Palm Canyon Drive. Figure 3-6 shows the area covered by the cultural resources assessment. The following background and analysis related to historical and prehistorical resources is based on the cultural resources assessment prepared for the project.

The project site is located within the boundaries of the Agua Caliente Band of Cahuilla Indians (ACBCI) Reservation designated fee land and, therefore, the project is subject to review by the Tribal Office of Historic

Preservation for impacts to cultural resources. The site was previously occupied by the Desert Hills Mobile Home Park that was demolished between 2005 and 2009. The project site was also used for stockpiling and staging during the construction of the Eagle Canyon Dam. The site is currently vacant and has been graded within dirt from the Eagle Canyon Dam project.

Figure 3-6. CR Survey Area with Project Site Plan



Source: ASM Affiliates, CR Report, May 25, 2017

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)].
e. 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 archaeologic 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.
f. Prehistorical Context
g. 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:
h. Paleoindian Period (12,000-8,000 BP) included occupancy by "small, mobile bands exploiting small and large game collecting seasonally available wild plants"
i. Archaic Period (8,000-1500 BP) with archaeological evidence found in the northern Coachella Valley and focused on the area of Lake Cahuilla
j. 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 the coastal tribes did 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 20th Century, the resort industry came to be established in the Coachella Valley area. The area became an important winter retreat, which continues today.

Founded in 1925, Cathedral City, was named for its location at the mouth of Cathedral Canyon. The City was originally conceived as a development for low- to moderate-income housing. In the latter half of the 20th century, Cathedral City together with neighboring cities of Rancho Mirage, Palm Desert, Indian Wells and La Quinta began to experience development of their own economies and have become driving economic 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.

AB 52 Consultation

The City of Cathedral City Planning Department staff began AB 52 consultation with mailing letters requesting consultation on the project to tribes on file with the City. The tribes are permitted up to 30 days to respond from the date of the letters (October 23, 2017). To date, the City has received one response. The City received a response letter from Anthony Madrigal, Twenty-Nine Palms Band of Mission Indians Tribal Chairman on December 19, 2017. Mr. Madrigal deferred comments on the project to the Agua Caliente Band of Cahuilla Indians (ACBCI) since the project is within the ACBCI Reservation lands. Mr. Madrigal requested that if unknown archaeological resources or remains are uncovered during construction, that the project stop and the appropriate agency and tribe(s) be notified. Mitigation measures CR-1 and CR-2 have been imposed on the project that comply with the requests.

Records Search and Field Survey

The methods used to assess cultural resources within the study area included a search of existing records and an intensive field survey of the project site. A records search included a review of the Eastern Information Center files for the Area of Potential Effect (APE), which included the project site and properties within a ten-mile radius. A records search was also made of the Sacred Lands File held by the California Native American Heritage Commission.

An intensive field survey was conducted by ASM Affiliates on May 17, 2017 of the project site. 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-meter 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

The results of the records search indicated that 34 cultural resource studies were conducted within a one-mile radius of the project site. Eight prehistorical cultural resources were found to be within the one-mile radius. However, all of the prehistoric resources were found to be outside of the project area. In addition, 22 historic buildings or structures were indicated to be present within a one-mile radius of the project site, but were also outside of the project area. A list of the previously identified prehistoric cultural resources within the one-mile radius are listed in Table 2 of the cultural resources report. Historical resources found within the one-mile radius but outside of the project site are listed in Table 3 of the report.

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

CHECKLIST RESPONSES:

a) 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 area. 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.

b) 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 also did not indicate any known archaeological resources on 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 measures CR-1 and CR-2 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 measures CR-1 and CR-2, the project will result in a less than significant impact to archeological resources.

c) 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.

d) 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 the 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 or remains 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.

Regulatory Requirements

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.

VI. Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
where sewers are not available for the disposal of waste water?				

BACKGROUND

Information in this section is based on the December 19, 2016 *Geotechnical Investigation: Proposed Ecoplex Park Commercial Complex* (Appendix D) prepared by Sladden Engineering. The report covered both phases of the Ecoplex Park project and includes a description of the geological setting and geological hazards of the site and an analysis of how the hazards will affect the proposed project. The geotechnical investigation also included recommendations on foundation design criteria and recommendations for site preparation based on project site conditions. The following background 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 extending from the Gulf of California to the Banning Pass. The Salton Trough is dominated by several northwest trending faults, must notable the San Andreas fault system. The Salton Trough is bounded by the Santa Rosa and San Jacinto Mountains on the southwest, the San Bernardino Mountains on the north, the Little San Bernardino, Chocolate and Orocopia Mountains on the east, and extends through the Imperial Valley into the Gulf of California on the south.

Project Site

During the field investigation, the project site was found to have a covering of artificial soil to a depth of approximately five feet throughout the site (with the exception of the portion south of the drainage easement). Native earth materials consisted primarily of poorly graded sand with minor potions of silty sand. Groundwater is well below the surface of the site. According to the geological report, groundwater was not encountered at a maximum explored depth of 50 feet below the surface during site borings.

Seismicity and Faulting

The City of Cathedral City is located within Southern California, which is a known seismically active area that is within the influence of several fault systems that are considered to be active or potentially active. The Coachella Valley is also crossed by multiple faults within the region. Figure 3-7 shows known active faults closest to the project site and their maximum events. Since the project site is located within an active seismic zone, it has a high potential to experience strong seismic shaking from area faults during the life of the project.

Seismically-Induced Geotechnical Hazards

Surface Rupture

Surface rupture is expected to occur along preexisting, know active fault traces. Surface rupture could also splay or step from known active faults. The geotechnical investigation found that known active faults are not mapped on or projecting towards the site. Signs of active surface faulting were not observed on the site. In

addition, no signs of active surface fault rupture or secondary seismic effects (lateral spreading, lurching, etc.) were identified during the geotechnical field investigation.

Liquefaction

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. General Plan Exhibit V-4 Liquefaction Susceptibility Map shows that the project site is within an area of moderate liquefaction.

The geotechnical investigation found that, based on groundwater maps of the site vicinity and the investigator's experience with the site, risks associated with liquefaction and liquefaction-related hazards are considered "negligible."

Ground Shaking

The site was found to have been subject to past ground shaking by faults that traverse the region. Strong seismic shaking from nearby active faults has the potential to produce strong seismic shaking during the life of the project.

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.

Slope Failure, Landslides, and Rock Falls

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. 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) However, the geotechnical investigation found that the project site did not show signs of slope instability in the form of rock slides, earthflows or slumps.

Subsidence

Subsidence is sinking of the ground typically as a result of extensive groundwater withdrawal. Typically, subsidence is not immediately observable since it can occur over large areas rather than a small spot like a sinkhole. Land subsidence can occur in valleys where aquifer systems have been subjected to extensive groundwater pumping, such that groundwater pumping exceeds groundwater recharge.

The Coachella Valley region has been subject to groundwater withdrawal subsidence. However, during the geotechnical investigation, no fissures or other surface signs of subsidence were observed at the site.

The Coachella Valley Water District has found that subsidence is a regional problem and has developed programs aimed at groundwater replenishment to limit future subsidence. Subsidence is considered a regional problem requiring region-wide mitigation not specific to the project vicinity.

REGULATIONS AND LAWS

Alquist-Priolo Earthquake Fault Zoning Act (State)

The Alquist-Priolo Earthquake Fault Zoning Act (the Act) was enacted in 1972 with the primary purpose of mitigating rupture hazards from surface faults. The main goal 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 sites 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 (Mapping Act) of 1990 addresses non-surface fault rupture earthquake hazards, including liquefaction and seismically induced landslides. The Mapping 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[1] (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. 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 CBC. The CBC includes specific requirements for seismic safety, excavation, foundations, retaining walls and site demolitions and also regulates grading activities, including drainage and erosion control.

[1] P. V-11, City of Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended November 18, 2009

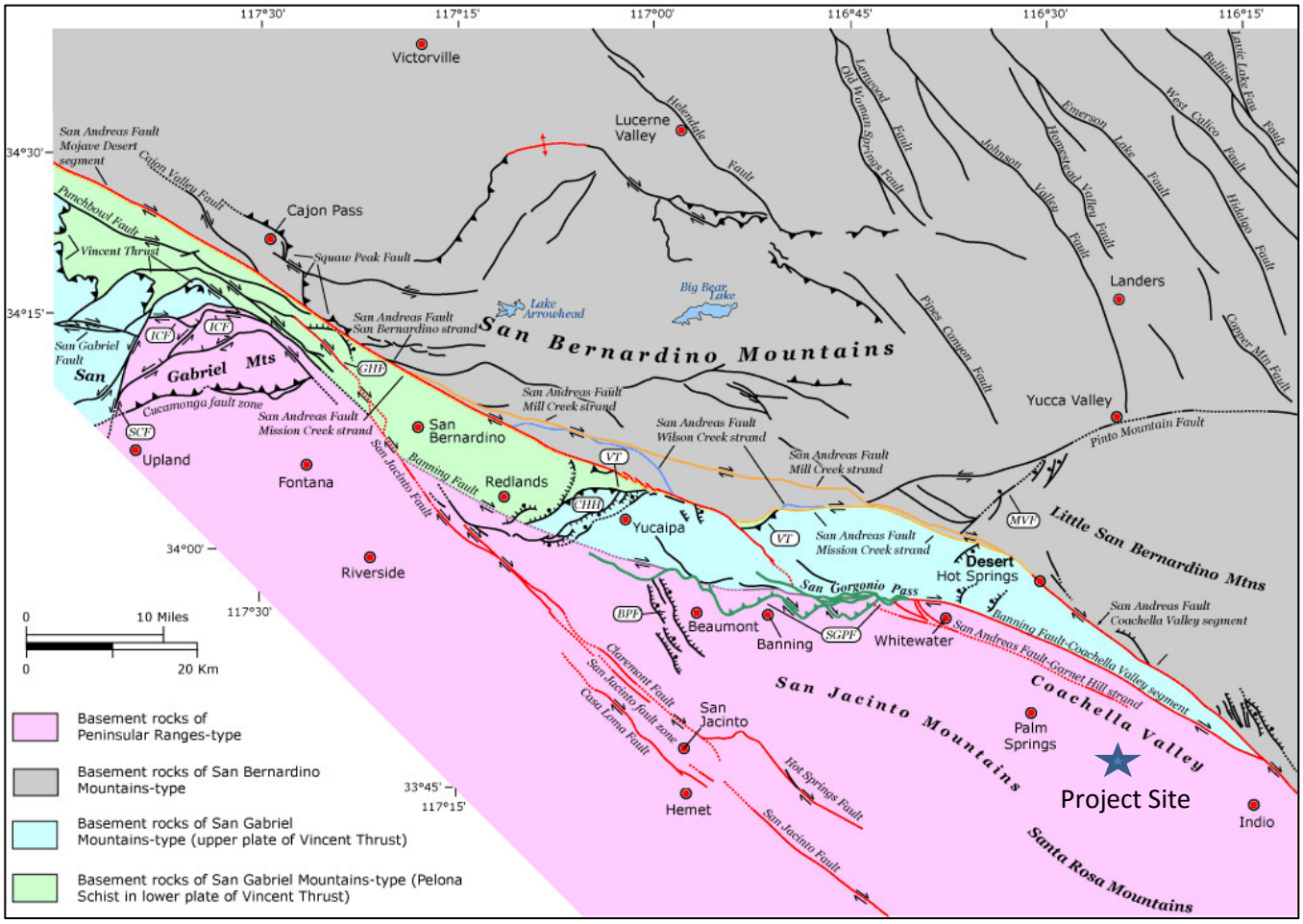
Table 3-10: Closest Known Active Faults

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

Source: Sladden Engineering, *Geotechnical Investigation for the Proposed Ecoplex Park Commercial Complex,* December 19, 2016

Figure 3-7: Map of Regional Faults



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

CHECKLIST RESPONSES:

ai) 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] Figure 3-7, which shows faults within the entire Coachella Valley region. However, no active faults are mapped in the immediate vicinity of the site. According to the geotechnical report, no faults are mapped on or projecting towards the project 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.

a.ii) 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.

a.iii) 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 investigation included a review of groundwater maps of the site vicinity and it was determined that groundwater conditions would not contribute to liquefaction since groundwater was at least 50 feet below the ground surface. 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 as required by mitigation measure GEO-1 will reduce impacts to less than significant with mitigation.

a.iv.) Landslides?

a.iv. Less than significant impact with mitigation. The project site is located at the base of the San Jacinto Mountains. General Plan Exhibit V-6[2] (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 or rock falls, earthflows or slumps were observed on or near the site during a field study conducted by the geological expert. The geotechnical investigation concluded that that hazards from these events would not be significant. However, the rear of building B will be directly adjacent to the foothills and where the slope will be very steep. As a result, there is some potential for rock slides to impact the buildings and people using the project site. To protect against rock slides, the project will install a "rock protection barrier" on the south side of the drainage easement. The project will be conditioned on the provision of the barrier before issuance of building permits. Mitigation measure GEO-2 requires the project developer to provide a rock slide barrier at the rear of the developed portion of the site, i.e. along the Eagle Canyon Dam underground pipeline easement. Therefore, the project would result a less than significant impact resulting from landslides with mitigation.

b) 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 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 as a condition of project approval 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.

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?

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, no indication of subsidence was observed at the project site.

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[2] P. V-18, City of Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended November 18, 2009

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 geotechnical report(s) 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.

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

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[3], 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 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 was negligible. Therefore, the project would result in a less than significant impact from location of buildings on expansive soils.

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?

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.

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.

GEO-2: Before issuance of building permits, the project applicant shall provide revised plans showing a rock protection barrier along the south side of the Eagle Canyon Dam storm drain easement consisting of the Geobrugg TXI-010 or equivalent. The City Engineer shall review and approve the barrier before issuance of building permits.

Standard Conditions of Approval

A. All grading permits must include a blowsand/erosion removal and prevention plan.

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[3] p. V-5 to V-6, City of Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended November 18, 2009

B. Landscaping, plant material, and hardscape are required to withstand high winds and the potential accumulation of blowsand.

VII. Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

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,* dated July 3, 2017 (Appendix A) was prepared to analyze 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 20th century. California state law defines GHGs as water vapor, carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), ozone (O3), 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 (CO2E). 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. The state's 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 A. 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.

Greenhouse Gases

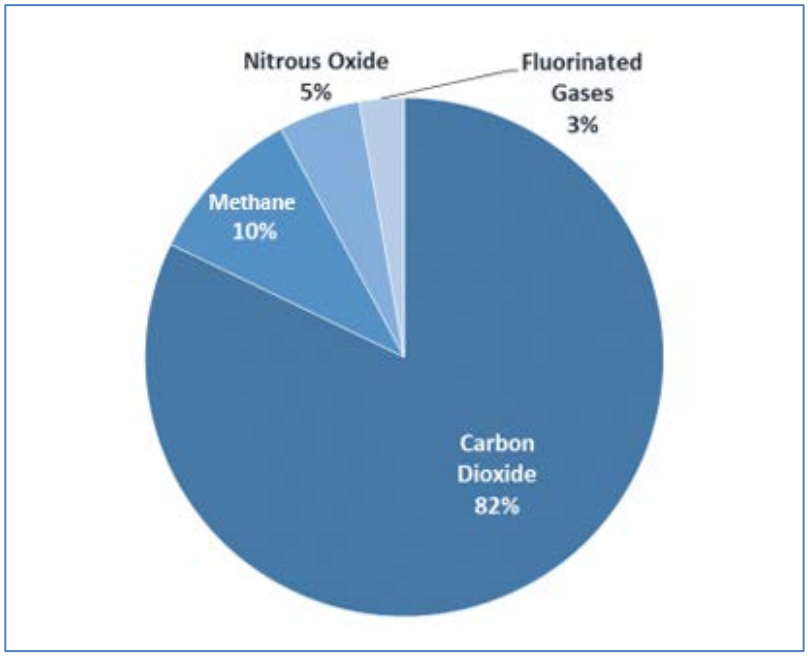
Constituent gases of the Earth's atmosphere, called atmospheric greenhouse gases (GHG), play a critical role in the Earth's radiation amount by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. Prominent greenhouse gases contributing to this process include carbon dioxide (CO2), methane (CH4), ozone, water vapor, nitrous oxide (N2O), and chlorofluorocarbons (CFCs). This phenomenon, known as the Greenhouse Effect, is responsible for maintaining a habitable climate.

Human-caused emissions of these greenhouse gases in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change. Emissions of gases that induce global warming are attributable to human activities associated with industrial and manufacturing, agriculture, utilities, transportation, and residential land uses. Transportation is responsible for 41 percent of the State's greenhouse gas emissions, followed by electricity generation. Emissions of CO2 and nitrous oxide (NOx) are byproducts of fossil fuel combustion. Methane, a potent greenhouse gas, results from off-gassing associated with agricultural practices and landfills. Sinks of CO2, where CO2 is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean. The main greenhouse gases include:

- Carbon Dioxide (CO_2): Carbon dioxide is produced by burning fossil fuels (coal, natural gas, and oil), solid waste, trees and wood products, and sometimes as a result of certain chemical reactions (such as the manufacturing of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
- Methane (CH4): Methane is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.
- Nitrous oxide (N2O): Nitrous oxide is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
- Fluorinated gases: Hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride are synthetic, powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances (e.g., chlorofluorocarbons, hydrochlorofluorocarbons, and halons). These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases, they are sometimes referred to as High Global Warming Potential gases ("High GWP gases").

According to the Environmental Protection Agency, the majority of greenhouse gas emissions are CO2. The percentages of greenhouse gases produced in 2015 are displayed in Figure 3-8.

Figure 3-8. U.S. Greenhouse Gas Emissions in 2015



Source: https://www.epa.gov/ghgemissions/overview-greenhouse-gases

Global Warming Potential

The Global Warming Potential (GWP) was developed to allow comparisons of the global warming impacts of different greenhouse gases. For each greenhouse gas, a GWP has been calculated to reflect how long it remains in the atmosphere, on average, and how strongly it absorbs energy. Gases with a higher GWP absorb more energy, per pound, than gases with a lower GWP, and thus contribute more to warming Earth. The larger the GWP, the more that a given gas warms the Earth compared to CO2 over that time period. The time period usually used for GWPs is 100 years. GWPs provide a common unit of measure, which allows analysts to add up emissions estimates of different gases (e.g., to compile a national GHG inventory), and allows policymakers to compare emissions reduction opportunities across sectors and gases. A summary of the atmospheric lifetime and the global warming potential of selected gases are summarized in Table 2 of the Air Quality and Global Warming report.

SCAQMD Threshold Development

Currently there are no adopted significance thresholds for GHGs for analyzing private develop projects. On December 5, 2008, the SCAQMD Governing Board adopted an interim greenhouse gas significance threshold for stationary sources, rules, and plans where the SCAQMD is lead agency (SCAQMD permit threshold). The SCAQMD permit threshold consists of five tiers.

The SCAQMD is in the process of preparing recommended significance thresholds for greenhouse gases for local lead agency consideration ("SCAQMD draft local agency threshold"); however, the SCAQMD Board has not approved the thresholds as of the date of the document. On September 28, 2010 SCAQMD Working Group meeting, the SCAQMD released its most current version of the draft GHG emissions thresholds, which

recommends a tiered approach that provides quantitative annual thresholds for different categories of uses. The current draft thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a greenhouse gas reduction plan. If a project is consistent with a qualifying local greenhouse gas reduction plan, it does not have significant greenhouse gas emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to a project's operational emissions. If a project's emissions are under one of the following screening thresholds, then the project is less than significant:
    - All land use types: 3,000 MTCO2e per year
    - Based on land use type: residential: 3,500 MTCO2e per year; commercial: 1,400 MTCO2e per year; or mixed use: 3,000 MTCO2e per year.
    - Based on land type: Industrial (where SCAQMD is the lead agency), 10,000 MTCO2e per year.
- Tier 4 has the following options:
    - Option 1: Reduce emissions from business as usual (BAU) by a certain percentage; this percentage is currently undefined.
    - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
    - Option 3, 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO2e/SP/year for projects and 6.6 MTCO2e/SP/year for plans;
    - Option 3, 2035 target: 3.0 MTCO2e/SP/year for projects and 4.1 MTCO2e/SP/year for plans
- Tier 5 involves mitigation offsets to achieve target significance threshold.

To determine whether the project GHG emissions would be significant, the GHG analysis used Tier 3 threshold of 10,000 MTCO2e per year for industrial projects.

CHECKLIST RESPONSES

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

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. The analysis also included how much CO_2 would be reduced through sequestration related to planting of 30 new trees for Phase 2 of the Ecoplex Park project.

   CalEEMod version 2016.3.1 was used to estimate on-site and offsite GHG emissions from construction and operation of the proposed project and the Ecoplex I project (Phase 1 and Phase 2 respectively). 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 MTCO2e per year.

Table 3-11: Project GHG Emissions for Phase 2 and Cumulative for Phases 1 and 2

Phase 2 Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO_2	CO_2	CH_4	N_2O	CO_2e
Area Sources[2]	0.00	0.00	0.00	0.00	0.00	0.00
Energy Usage[3]	0.00	258.20	258.20	0.01	0.00	259.33
Mobile Sources[4]	0.00	260.65	260.65	0.01	0.00	261.00
Waste[5]	12.64	0.00	12.64	0.75	0.00	31.31
Water[6]	3.68	48.16	51.85	0.38	0.01	64.14
Construction[7]	0.00	12.18	12.18	0.00	0.00	12.24
Sequestration from trees[8]						-1.06
Total Emissions	16.32	579.19	595.51	1.15	0.01	**626.95**
SCAQMD Industrial Threshold						**10,000**
Exceeds Threshold?						**No**

Total for Phase 1 and Phase 2	**1,132.27**
SCAQMD Industrial Threshold	**10,000**
Exceeds Threshold?	**No**

Source: Kunzman Associates, Inc., Ecoplex Park Air Quality and Global Climate Change Impact Analysis, July 3, 2017

Table 3-11 shows a summary of project-related, unmitigated GHG emissions. Phase II of the Ecoplex Park project would produce 626.95 MTCO2e. Cumulatively, both phases would produce a total of 1,132.27 MTCO2e, which is still well below the SCAQMD threshold of 10,000 MTCO2e per year for industrial projects. Therefore, the project would result in a less than significant cumulative impact to global climate change.

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

b. No 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, hospitability, 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 for 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 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 MTCO2e of total emissions, which is approximately 53,439 MTC02e 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 by 23% from year 2010 emissions to achieve the AB 32 target by 2020. With 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 since 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 MTCO2e per year, the project's GHG emissions fall well below the SCAQMD tier 3 threshold of 10,000 metric tons per year of CO2e 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 for construction of new buildings that include 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?	☐	☐	☒	☐

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

Background

According to the Cathedral City General Plan Environmental Hazards Element, 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 (ESA) (Appendix E) dated March 22, 2017 was prepared for the project by Sladden Engineering. The ESA included a search of relevant 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 from development of the project.

Cathedral City Cannabis Business Regulations

Pursuant to Cathedral City Municipal Code (CCMM) Code section 5.88.065 subsection A.18, all 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 CCMC requires that all proposed 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 to be submitted to the City 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." The environmental plan is required to be submitted and approved by the City before a conditional use permit can be issued for the project.

Section 9.108.050 also requires the applicant to prepare an emergency response plan that complies with Title 8 of the CCMC and California Fire Code Section 401, which set out "standard operating procedures to be followed by all individuals in case of a fire, chemical release, chemical spill, or other emergency."

CHECKLIST REPONSES

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

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

a. & b. Less than significant impact. The project involves the development and operation of a cannabis cultivation facility. As such, development of the site and operation of the project will result in hazardous waste materials being transported to and from the site, and stored and used on the project site. Project operations may involve the use of fertilizers, pesticides and other chemicals in the cultivation and treatment of cannabis. Cultivation waste containing hazardous materials, such as pesticides, that cannot be removed from the waste may also need to be transported 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 are governed by state and local regulations pertaining to cannabis.

During construction of the proposed project, petroleum-based fuels and hydraulic fluid will be used by the construction equipment that have the 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. Construction BMPs as well as standard construction controls and safety procedures that would avoid or minimize the potential for accidental release of these substances will be required to be

implemented by the City. Standard construction practices would be observed such that any hazardous materials released during construction are appropriately contained and remediated in compliance with local, state, and federal law. The use and handling of hazardous materials during construction will occur in accordance with applicable Federal, State, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements and the Riverside County Environmental Health and Fire Department.

The City of Cathedral City has implemented specific regulations pertaining to hazardous waste disposal from cannabis business operations. CCMC Section 5.88.065.R pertaining to Waste Disposal requires that all cannabis business operations dispose of chemical, dangerous, and hazardous waste in compliance with federal, state and local laws, regulations and other requirements, which "may include, but is not limited to, the disposal of all pesticide or other chemicals used in the cultivation process, certain solvents or other chemicals used in the production of cannabis concentrate." Section 5.88.065.R further requires that cannabis waste disposal comply with the following requirements:

"2. *Cannabis Waste.* Cannabis waste must be made unusable and unrecognizable prior to leaving the licensed premises by grinding it and incorporating it with fifty percent non-cannabis waste. If necessary to protect the health and safety of individuals working on licensed premises, a cannabis business may grind the stalk of a cannabis plant outside of its licensed premises provide all grinding activities occur within twenty feet of the licensed premises and cannot be seen from any public street.

3. *Composting.* A cannabis business may compost cannabis waste onsite, in accordance with this provision and all other applicable laws, rules, and regulations."

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. In addition, the project will be required to comply with CCMC sections 9.108.05 and 5.88 pertaining to accidental release, handling, and disposal of cannabis waste. 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.

c) 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.

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?

d. **Less than significant impact.** 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 American Society of Testing and Materials (ASTM) defines an REC as the presence of, or likely presence of, hazardous substances or petroleum products on a property where conditions indicate that there is an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures or into the ground, ground water, or surface water of the subject property.

The Phase I ESA included a records search performed by Environmental Data Resources (EDR) of federal, state and local databases for RECs for the site and within a 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. A physical survey was also 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 impact from hazardous materials on the site or within the surrounding area that would result in a significant hazard to the public or the environment.

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

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 area of "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 is not currently consistent with the Plan, the project was submitted to ALUC for review and approval.

In a letter provided to the applicant, the Riverside County ALUC stated that the project is 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-4. Therefore, with implementation of mitigation measures, 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.

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?

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.

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

g. **Less than significant impact.** Cathedral City is a member of the Riverside County Emergency Services Organization; and the City has also developed its own Emergency Operations Plan, which is incorporated by reference into the General Plan. The Emergency Operations Plan is a living document that updates and improvements in response to differing conditions.

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.

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?

h. **Less than significant impact.** The project site is located within a developing urban area. Commercial uses are located to the northwest, north and east of the project site. The property adjacent to the east has recently been approved by the City for development of a cannabis cultivation facility. Directly south of the project site are the north-facing San Jacinto Mountains foothills, which are mostly barren and rocky where adjacent to the project site. The project does not involve construction or placement of residential structures next to 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 that has been designated at high risk for wildlands fires according to the CDFFP maps. Therefore, the project would result in a less than significant impact 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 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 slope 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 which 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 purchases 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 36-hour detention/infiltration 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 must 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 must comply with state and local regulations pertaining to the storage and use of cannabis cultivation including CCMC sections 5.88.065 and 9.108.05 pertaining to cannabis operations.

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

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
river, in a manner which would result in substantial erosion or siltation on- or off-site?				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow	☐	☐	☒	☐

BACKGROUND

The background information and analyses in this section references the Preliminary Hydrology Study for Ecoplex Park Phase II, dated June 12, 2017 (Appendix G), prepared by Fomotor Engineering.

Project Setting

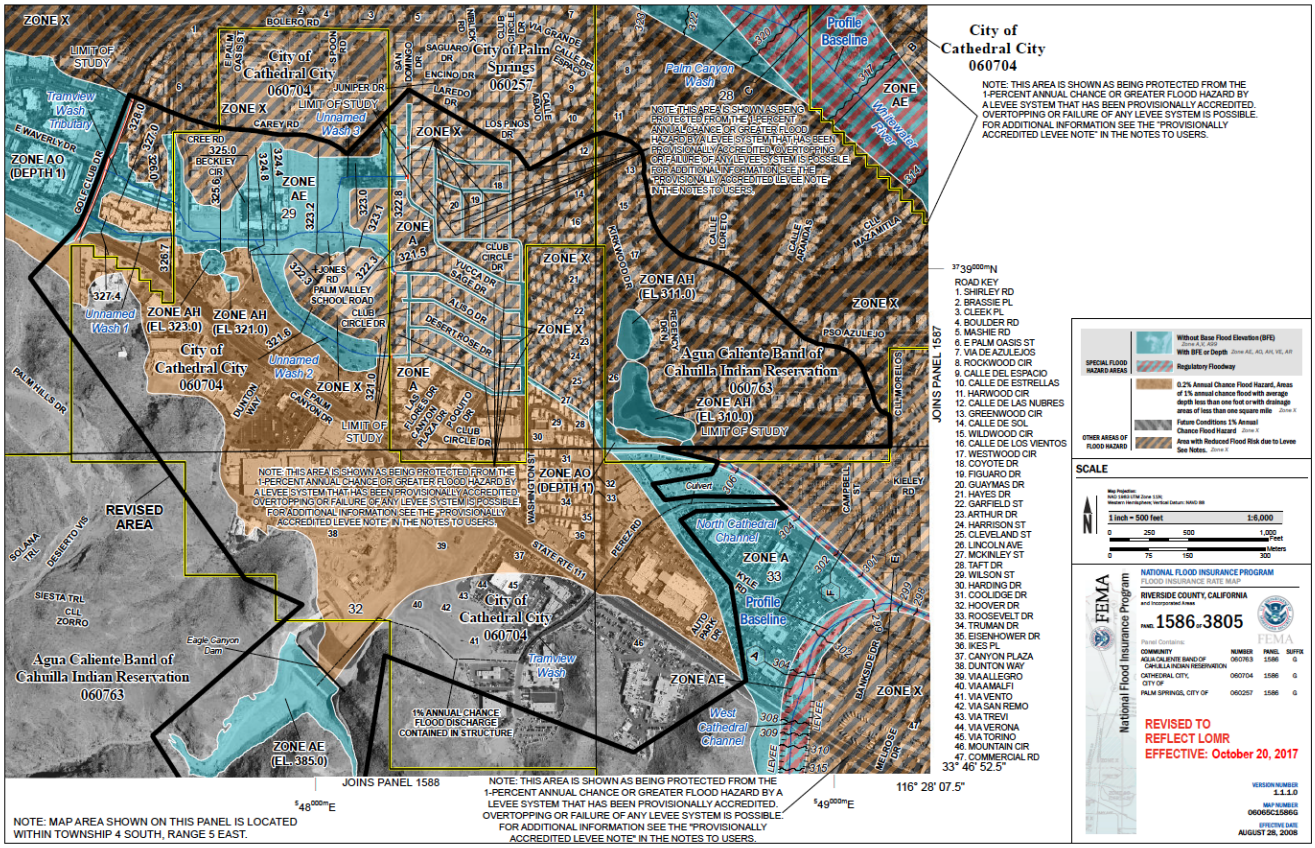
The project involves subdivision of a 3.07-acre parcel into two parcels of 1.03 acres and 2.04 acres in size, and construction of two warehouse-style buildings with a total floor area of 50,197 square feet to be used for

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 characterized by rocky outcroppings and is undisturbed.

The project site is vacant and undeveloped. The developable portion of the property is located at an elevation of approximately 354 feet above sea level and slopes gently from the southeast to northwest at an approximately 3.8% grade. Groundwater is assumed to be more than 50 feet below ground level.

The project site is located within two FEMA flood zones. As noted in the preliminary hydrology study, the FEMA flood map panel for the site and surrounding area (Riverside County Flood Insurance Rate Map numbers 06065C1586G, effective October 20, 2017) shows the project site is located in both unshaded FEMA Zone X and shaded FEMA Flood Zone X. The unshaded FEMA Flood Zone X is described as, "Areas determined to be outside the 0.2% annual chance floodplain." The shaded FEMA Flood Zone X is described as, "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from1% annual chance flood." A copy of the FEMA Flood Hazard Map for the project site and area is shown in Exhibit 3-12.

Exhibit 3-12: Draft FEMA Flood Hazard Map for Site and Surrounding Area



Source: Sladden Engineering, *Preliminary Hydrology Study for Ecoplex Park Phase II*

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 the Coachella Valley Water District (CVWD) ordinance no. 1302.1, which provides landscape and irrigation design criteria that are meant to reduce water consumption used for landscaping. All landscape plans for new development must be approved by the CVWD as consistent with the ordinance. The City requires that the approved plans be submitted to the City before permits are issued for landscape work.

Regional – Desert Water Agency (DWA)

The project site is located within the jurisdiction of the DWA. The City requires that the applicant show DWA preliminary approval of the project attesting to water supply availability before the project can be approved. The DWA has provided the applicant with a "will-serve" letter, dated June 6, 2017, stating that the agency will provide water and sewer services to the project subject to all the applicable rules, regulations, ordinances, and orders of the DWA.

Checklist Responses:

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

a. 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 the 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. A copy of the SWPPP and Waste

Discharge Identification (WDID) number, issued by the State, must be available on site for review and implementation during all phases of construction. As such, the construction of the project will be in compliance with NPDES requirements relating to discharges from construction sites into groundwater.

Sewer

All new development within Cathedral City is required to connect to the sewer system. The 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 pertain 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 during project operation. The City requires 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 during construction. In addition, the developer's project-specific WQMP will ensure compliance with the RWQCB water quality regulations and minimize runoff after construction of the project. 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.

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)?

b. **Less than significant impact.** The project involves the construction of two warehouse style buildings for cannabis cultivation, which will take place entirely within the buildings. Since the project will require water for plant cultivation and other operational needs, it 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 cannabis is a water intensive use and could have a negative impact on groundwater recharge. However, groundwater recharge is considered a regional problem best dealt with at the regional level. The Coachella Valley water basin is currently in overdraft. To alleviate groundwater overdraft, the CVWD and Desert Water Agency (DWA) 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 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 to the applicant 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. Therefore, the project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge and a less than significant impact will result.

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

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

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

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 unimproved site. As such, the project will result in the increase in surface runoff and alteration of the existing drainage patterns on the site. There are no streams or rivers on or adjacent to the property.

The project is required to retain stormwater onsite from a 100-year three-hour storm event per Cathedral City requirements in CCMC Section 8.24.070 Storm water storage facilities. The project will be designed to collect on-site the 100-year peak discharge with an inlet/storm drain system. The flow would be directed into a sub-surface retention system designed to collect the 100-year three-hour peak discharge. All of the on-site discharge above the 100-year peak discharge would be conveyed through the adjacent Ecoplex I proposed storm drain, and outlet at the existing RCFC 5-foot-wide by 4-foot-high RCB.

Cathedral City requires the submittal of a Water Quality Management Plan (WQMP) before start of construction of projects that meet certain criteria in compliance with the NPDES permit program. The project is required by the City to prepare and submit a WQMP. 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.

The drainage design for the project and implementation of BMPs set forth in the WQMP will ensure that stormwater on the project site does not cause substantial flooding in the vicinity. Therefore, impacts in related to flooding on and off-site will be less than significant.

f) Otherwise substantially degrade water quality?

f. **Less than significant impact with mitigation** The cannabis cultivation process for the proposed project may include the application of fertilizers during the cultivation of the cannabis, which will cause contamination of the irrigation water. To reduce water consumption, a reverse osmosis system will be installed on the project site to treat irrigation water. Irrigation water infused with fertilizers will be recycled and run through the reverse osmosis system to remove fertilizers and be reused again for cannabis irrigation once the water is treated to an acceptable level. Any water that cannot be fully treated and reused for cultivation will be required to be stored in a separate storage tank and picked up by a licensed hazardous waste removal company as required by mitigation measures HD-1 and HD-2.

Although contaminants will be introduced to water used for irrigation, onsite water treatment and hazardous waste removal by licensed hazardous waste haulers will ensure that all contaminated water is contained and overall water quality will not be significantly impacted with implementation of mitigation measures.

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?

g. **No impact.** The project involves construction of two warehouse buildings for 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 hazard area.

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

h. **No impact.** The project involves the subdivision of a 3.07-acre property into two lots and construction of two warehouse style buildings on the new parcels for the purpose of cannabis cultivation.

The most recent FEMA flood map for the project site that became effective on October 20th, 2017 placed the site in both shaded FEMA Flood Zone X and unshaded FEMA Flood Zone X. Unshaded FEMA Flood Zone X is described by FEMA as an area with minimal flood hazard. The shaded FEMA Flood Zone X is described as, "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from1% annual chance flood." However, the project site is not within a FEMA Special Flood Hazard Area that would require additional protections from flooding. In addition, the project will be required to comply with CCMC **Chapter 8.24 FLOODPLAIN MANAGEMENT** regulations related to development within flood prone areas. The City Engineer reviews all permits for new development for potential flood hazards and for compliance with Chapter 8.24 requirements. Therefore, the project will not result in any impact due to placement of structures within a flood hazard zone.

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?

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

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 Eagle 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.

j. 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 San Jacinto/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 as a result of 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.

Mitigation Measures

HD-1 All water used in the cultivation process that cannot be recycled shall not be released into the storm drain system but shall be stored on site in a separate storage tank and picked up by a licensed hazardous waste hauler.

HD-2 Before start of operation of the cannabis cultivation facility and issuance of a Certificate of Occupancy, the applicant will be required to show the City proof of contract with a licensed hazardous waste hauler that will be responsible for removing all hazardous wastewater and solid waste generated at the project site.

X. Land Use and Planning

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

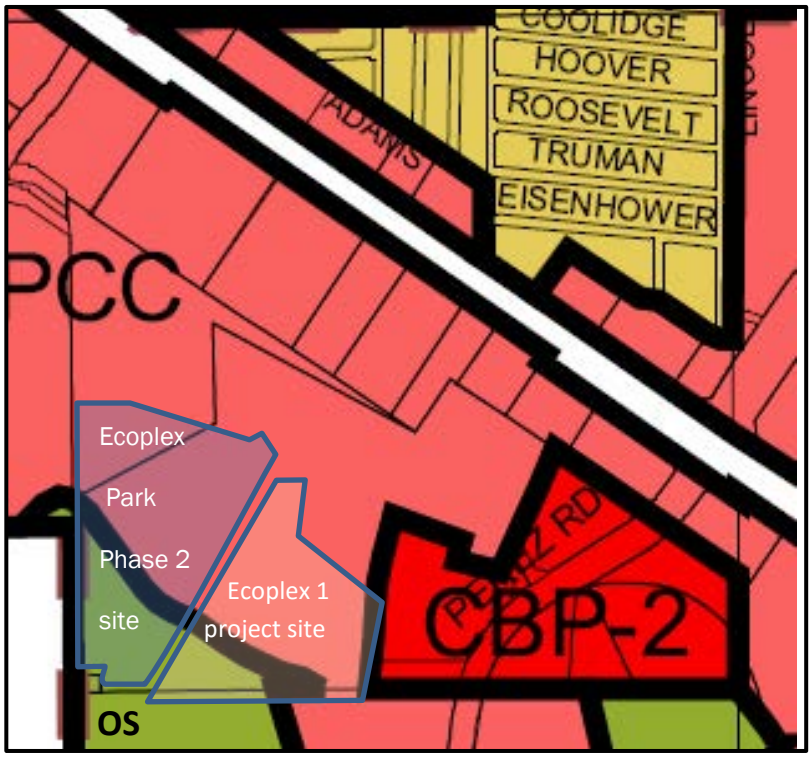
Environmental Setting

The project site is an approximately 3.07-acre vacant property that is proposed to be subdivided and developed with an indoor cannabis cultivation facility. Two warehouse type buildings will be constructed as part of the project to house the cannabis cultivation operation. The majority of the project site is located within the Planned Community Commercial (PCC) zoning district and the CG (General Commercial) General Plan land use designation. The triangular portion at the southern end of the site is within the OS (Open Space) zoning district. A 30-foot-wide easement for the Riverside County Flood Control District generally divides the PCC-zoned portion of the property from the OS zone portion. 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 vacant land on all sides. The areas adjacent to the south and southwest are zoned OS and beyond those properties are the south-facing slopes of the San Jacinto Mountains, which are part of the Santa Rosa and San Jacinto National Monument.

Like the project site, the areas adjacent to the north, west and east are zoned PCC and are undeveloped. The 2.07-acre site adjacent to the east has recently been approved by the City for development with Phase 1 of the Ecoplex Park project, which is similar in design to the proposed project. The areas further east and northeast are developed with auto repair shops that front on Perez Road. These properties are zoned CBP-2 (Commercial Business Park).

Figure 3-9: Zoning Map of Project Site and Surrounding Area



Agua Caliente Band of Cahuilla Indians (ACBCI) Reservation

The ACBCI 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. The entire 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 and give authority to the City to manage those land uses. Therefore, in the case of this project site, Cathedral City will act as the agent for administering and assigning land-use designations.

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

The THCP 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 ACBCI Reservation. The ACBCI is in the process of gaining federal approval of THCP streamline permitting procedures from “incidental take” activities that will comply with the Endangered Species Act. However, currently if a project within the THCP area has the potential to impact federally listed endangered and threatened wildlife species, an “incidental take” permit (See Section 10a(1)(B) of the ESA)

must be obtained from the U.S. Fish and Wildlife Service. Permit holders are allowed to participate in an activity that is legal in all other respects, but that results in the "incidental" taking of a listed species.

Specific Plan No. 89-39

The project site is located within the boundaries of Specific Plan (SP) 89-39, which was approved by City Ordinance No. 302 in 1990. The purpose of the SP 89-39 is to ensure that roadway improvements consistent with the Transportation Element of the General Plan and assure development of adequate public facilities and services for development within the specific plan area. The specific plan contains development standards related to development of Perez Road, sewer connection, and zoning district designations for the properties within the plan.

CHECKLIST REPONSES:

a) Physically divide an established community?

a. **No impact.** The project involves a land subdivision and construction of two warehouse buildings for the purpose of cannabis cultivation, which will take place wholly within the buildings. The property crosses two zones; the OS (Open Space) on the smaller southern portion and PCC zone on the north portion. The project site is surrounded by PCC (Planned Community Commercial) zoned land on the east, west and north. The area directly adjacent to the south is within a conservation area of the ACBCI THCP.

   All of the immediate surrounding land is vacant and undeveloped. The closest urban development occurs further to the northwest, northeast, and west.

   The OS portion of the property will remain undeveloped. The proposed project will be located within the PCC zone, which requires approval of a CUP for the proposed cannabis cultivation use. With approval of the CUP, 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, 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. The nearest residential uses are located on the north side of East Palm Canyon Drive approximately 700 feet to the northeast. As such, development of the project would be compatible with the surrounding area and would not physically divide an established community.

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

b. **Less than significant impact.** Cannabis cultivation requires approval of a CUP to ensure compatibility with surrounding development. The project will require review and approval by the City's Architectural Review Committee and Planning Commission to ensure consistency with design guidelines, PCC district development standards, and with surrounding development. The project is also consistent with the General Plan 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 in the community and increase the economic viability of the area while ensuring environmental concerns are appropriately mitigated. The project is a development that is consistent with existing urban development in the area.

The project is located with SP 89-39 which primarily includes requirements for street improvements, sewer connection and utility easements. Since the approval of the specific plan, some property development within the plan area has differed from that projected by the plan and inconsistencies exist between the plan and current configuration and land uses of the properties. As a result, some of the provisions of the specific plan are outdated and SP 89-39 is expected to be repealed by the City in the future.

The project is also consistent with the ACBCI TCHP in that it is not located within a conservation area of the plan where development is restricted.

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, THCP or specific plan.

c) 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

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
on a local general plan, specific plan or other land use plan?				

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 near the project site. Therefore, the project will not result in any adverse impacts to a significant mineral resource.

XII. Noise

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Environmental Setting

The project site is surrounded by vacant undeveloped land on all sides. The area to the south is undeveloped conservation land and the areas adjacent to the east, north, and west are undeveloped but located within an area zoned PCC, which is intended for high-intensity commercial service uses. However, the PCC zone also allows certain uses that produce noise with approval of a conditional use permit whereby noise impacts can be mitigated through conditions of approval.

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 700 feet to the northeast of 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 of 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 in the Noise Element shows the CNEL levels for the year 1999 and at General Plan buildout for the major roadways in the City. Table 3-12 is the portion of the table for the East Palm Canyon Drive segment in the project vicinity.

Table 3-12: 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 CNEL	65 CNEL	70 CNEL	60 CNEL	65 CNEL	70 CNEL
343 feet	160 feet	77 feet	395 feet	186 feet	92 feet

Source: Excerpt from Table V-3, Cathedral City Comprehensive General Plan, Noise Element, p. V-4.

CHECKLIST RESPONSES:

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?

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 residential 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. There are no sensitive uses in the immediate vicinity of the project. Commercial uses to the north and east of the project site could experience some limited 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 and State holidays no permissible hours

May 1st through September 30th

Monday to Friday 6 a.m. to 7 p.m.

Saturday 8 a.m. to 5:00 p.m.

Sunday and State holidays no permissible hours

Construction of the project is expected with to begin in January 2019 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 cannabis cultivation would not involve the use heavy machinery or equipment.

Roof-mounted equipment such as heating and air-conditioning units would generate noise during operation. The project would also 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, project operations would not be expected to impact residents of the mobile home park. Uses to the northeast and east include an auto dealership and several auto repair businesses that are not considered noise sensitive.

Some noise would result from the ventilation system, but otherwise the use is not expected to result in a significant noise increase that would impact the nearby 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 employee trips and truck deliveries. The anticipated number of employees on site would be up to 40 people, which resulted in approximately 148 daily vehicle trips calculated for the project (See Traffic Report in Appendix F), 40 during the morning peak hour and 40 will occur during the evening peak hour.

Truck traffic would also be minimal and would result from infrequent deliveries and product shipping. However, existing noise levels along the roadway are already significant. General Plan Table 3-12 shows that 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 closest sensitive uses are the residents of the mobile home park located on the north side of East Palm Canyon Drive approximately 700 feet 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 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 located on the other side of East Palm Canyon Drive. Therefore, the project would result in a less than significant impact from noise during construction and operation of the project.

b) 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.

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; therefore, operation of the project would result in an increase in ambient noise levels. However, due to the nature of the proposed use that is 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 could be subject to some 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 resulting from exposing people residing or working in the project area to excessive noise levels from a private airstrip.

XIII. Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

Census data estimates that the July 1, 2015 population of Cathedral City would be 53,826 persons.[4] 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

[4] U.S. Census, https://www.census.gov/quickfacts/table/PST045216/0612048,00

warehouse style buildings; a single-story, 17,702-square-foot building on Parcel I and a two-story, 32,511-square-foot building on Parcel II. Up to 40 workers are expected to be employed at the project site. The project could increase the population through people relocating to the City for employment at the cannabis cultivation 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. The project would also contribute to the need for a traffic light at Margot Murphy Way, which may indirectly facilitate development of the vacant properties to the north and east. The increase in population resulting from the project would be minor due to the small number of workers expected at the site. The additional population would result from additional jobs produced on the project site and indirectly from future development of the vacant land to the north. Therefore, the project would result in less than significant impact on population growth either directly or indirectly caused by the project.

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

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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:				
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☒	☐
d. Parks?	☐	☐	☒	☐
e. Other public facilities?	☐	☐	☒	☐

CHECKLIST RESPONSES:

a) Fire protection

b) Police protection

a. and b. 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 cannabis cultivation on an undeveloped site that would employ approximately 40 people, the project would result in a relatively minor increase in the need for police and fire services. The project would comply with all regulations of the Fire Department and current building code pertaining to fire safety. 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 project would have a small increase in the number of residents in the City. The proposed project would not significantly affect those ratios.

In addition, the project will be required to provide heightened security measures in compliance with Municipal Code Section A 58.88.065.20 (cannabis business operational requirements), which include the requirement for provision of security cameras, an alarm system, and security lighting. The CUP process requires the applicant to provide security plans as part of project approval of the City's Cannabis License, which must be approved before the City approves the CUP for the project. Therefore, the project will result in a less than significant impact on fire and police protection services.

c) 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.

d) Parks

d. **Less than significant impact.** The General Plan goal is a minimum of three acres of parkland 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 40 new employees in the area, which will not significantly affect use of nearby recreational facilities. Although the project could result in a minor increase in the use of the nearby parks, it would not cause substantial use 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 parks within the project vicinity.

e) Other facilities

e. **Less than significant impact.** Development of the proposed project is consistent 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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Environmental Setting

The proposed project involves a land subdivision and construction of two warehouse style buildings for the purpose of cannabis cultivation. The project will involve the construction of two buildings consisting of a 17,702-square-foot building on Parcel I and a two-story, 32,511-square-foot building on Parcel II. Approximately 40 employees are expected to work at the facility during operation of the project. 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 and other recreational opportunities. 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 and Traffic

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☒	☐	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
or a change in location that results in substantial safety risks?				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

Background

Ecoplex Park Project Traffic Impact Analysis

The Ecoplex Traffic Impact Analysis by Kunzman Associates, Inc. (Attachment F) was prepared to: 1) determine the current and projected future project vehicle trips that would be added to the surrounding street network; 2) determine whether the number of project trips would negatively impact the level of service on the surrounding street network; and 3) determine the need for on-site and off-site street improvements to achieve the City's level of service requirements.

To determine traffic impacts from the project, the traffic impact analysis (TIA) analyzed four different scenarios:

1) existing traffic conditions in the vicinity of the project site;

2) existing plus project traffic conditions;

3) traffic conditions for operating year 2019 with and without the project; and

4) year 2035 traffic conditions with and without the project.

The TIA analysis included both the proposed project and the Ecoplex I project, a recently approved project similar in size and design. (The TIA refers to Ecoplex I as Phase 1 and Ecoplex II as Phase 2.) Both projects, as well as a conceptual auto dealership on the property adjacent to the north on Margot Murphy Way, were included in the cumulative analysis. The TIA also included an analysis to determine whether on-site and off-site improvements and roadway improvements would be needed to achieve the City's minimum level of service. The need for off-site improvements included a traffic intersection warrant analysis to determine if a traffic signal would be needed to offset project traffic impacts.

This background and analysis provides a summary of the TIA report and findings for the proposed project.

City of Cathedral City Level of Service Threshold

The City of Cathedral City has established Level of Service (LOS) D as the city-wide target for the minimal allowable threshold for the operation of intersections. LOS E and F are considered unacceptable levels of intersection operation.

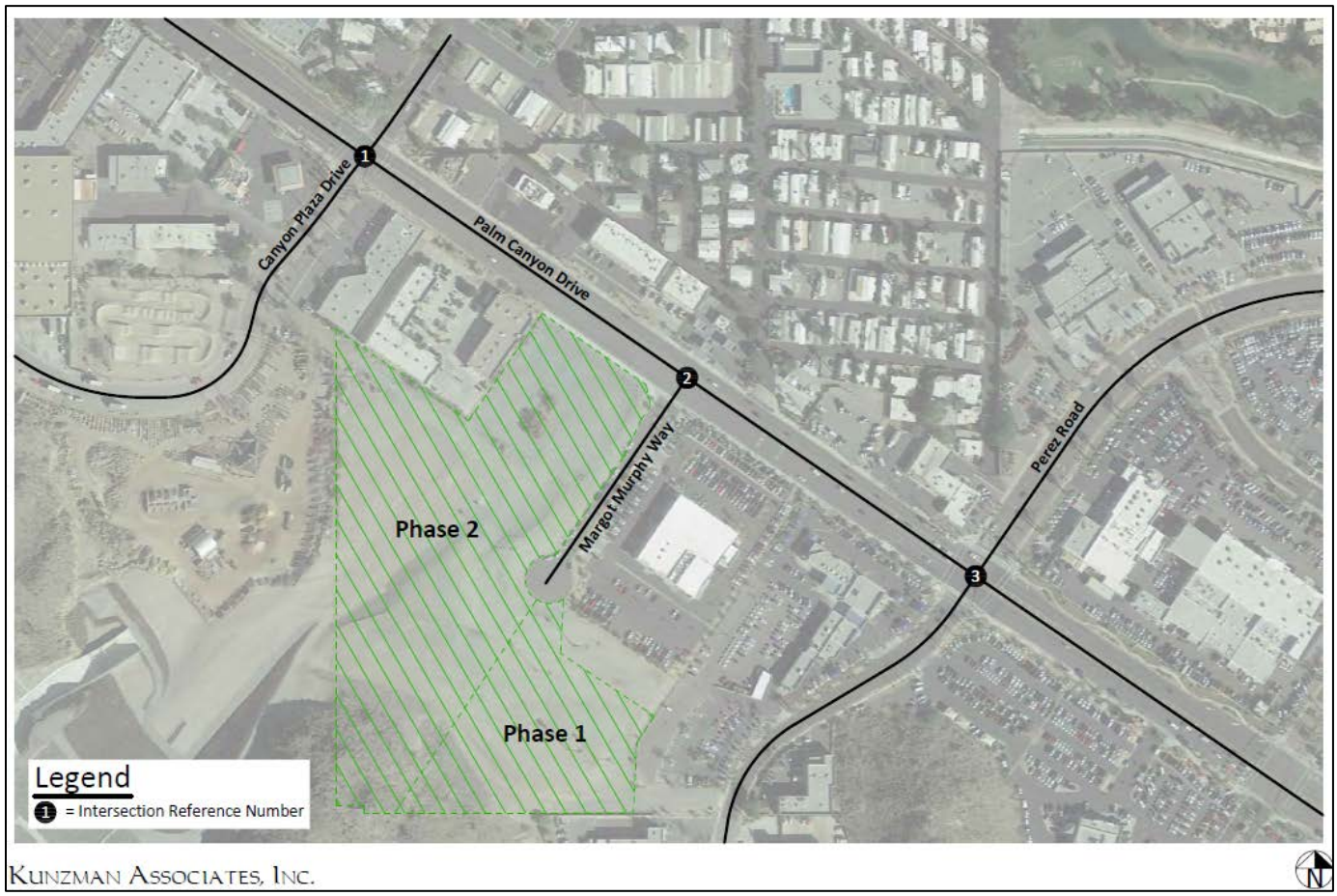
Environmental Setting

The project site is located at the terminus of Margot Murphy Way approximately 285 feet from where it intersects with East Palm Canyon Drive. The TIA included an analysis of the project's impact on the following street intersections:

a. Canyon Plaza Drive (NS) at East Palm Canyon Drive (EW) - #1
b. Margot Murphy Way (NS) at East Palm Canyon Drive (EW) - #2
c. Perez Road (NS) at East Palm Canyon Drive (EW) - #3

The locations of the studied intersections are shown in Figure 3-10.

Figure 3-10: Project Location Map with Studied Intersections



Source: Kunzman Associates, *ECOPLEX PARK TRAFFIC IMPACT ANALYSIS*, June 20, 2017, p. 36

Analysis Methodology

The technique used to assess the capacity 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 the studied 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[5]. The existing delay and LOS for the studied intersections are shown in Table 3-13, which overestimates the average daily traffic volumes since public transit was not taken into account.

SCENARIO 1: EXISTING TRAFFIC CONDITIONS

Existing traffic conditions for the studied intersections currently operate at an acceptable LOS with the exception of Margot Murphy Way and East Palm Canyon Drive, which is an unsignalized intersection. That intersection currently operates at an unacceptable LOS E with a delay of 49.5 seconds during the evening peak hour.

Table 3-13: Existing Intersection Delay and Level of Service

Intersection	Jurisdiction	Traffic Control[3]	Intersection Approach Lanes[1]												Peak Hour Delay-LOS[2]	
			Northbound			Southbound			Eastbound			Westbound				
			L	T	R	L	T	R	L	T	R	L	T	R	Morning	Evening
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

Trip Generation Methodology

Trip generation rates were determined for daily traffic for inbound and outbound trips for the proposed land use. 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 148 trips are expected to be generated by the project operations, with 40 trips occurring

[5] PM Peak Hour (Approach Volume + Exit Volume) x 12 = Leg Volume.

during the morning peak hour and 40 trips during the evening peak hour. Employee trips make up the bulk of the trips since the amount of expected truck deliveries is small. Since the trip reducing potential of public transit was not considered in the TIA, the project's traffic calculations are conservative. The trip generation for the Ecoplex Phase 2 project is shown in Table 3-14 below and combined trip generation for Phase 1 and Phase 2 in Table 3-15.

Table 3-14: Project Trip Generation for Ecoplex Project Phase 2

Land Use	Quantity	Units[1]	Peak Hour						Daily
			Morning			Evening			
			Inbound	Outbound	Total	Inbound	Outbound	Total	
Trip Generation Rates									
Employees[2]	36	EMP	1.00	0.05	1.05	0.05	1.00	1.05	4.00
Deliveries[3]	1	TR	1.00	0.00	1.00	0.00	1.00	1.00	2.00
Receivable Deliveries[4]	1	TR	1.00	0.00	1.00	0.00	1.00	1.00	2.00
Trips Generated									
Employees	36	EMP	36	2	38	2	36	38	144
Deliveries	1	TR	1	0	1	0	1	1	2
Receivable Deliveries	1	TR	1	0	1	0	1	1	2
Total			38	2	40	2	38	40	148

Table 3-15: Project Trip Generation for Ecoplex Phase 1 and Phase 2

Land Use	Quantity	Units[1]	Peak Hour						Daily
			Morning			Evening			
			Inbound	Outbound	Total	Inbound	Outbound	Total	
Trip Generation Rates									
Employees[2]	58	EMP	1.00	0.05	1.05	0.05	1.00	1.05	4.00
Deliveries[3]	2	TR	1.00	0.00	1.00	0.00	1.00	1.00	2.00
Receivable Deliveries[4]	2	TR	1.00	0.00	1.00	0.00	1.00	1.00	2.00
Trips Generated									
Employees	58	EMP	58	3	61	3	58	61	232
Deliveries	2	TR	2	0	2	0	2	2	4
Receivable Deliveries	2	TR	2	0	2	0	2	2	4
Total			62	3	65	3	62	65	240

SCENARIO 2 EXISTING PLUS PROJECT TRAFFIC CONDITIONS

The delay and Level of Service for Existing Plus Project traffic conditions calculated for Phase 2 are shown in Table 3-16. Table 3-17 shows existing plus Phase 1 and Phase 2 of the Ecoplex Park project combined trips. As with the existing without the project, all of the studied intersections operate at an acceptable LOS with the exception of the East Palm Canyon Drive and Margot Murphy Way, which worsens with project traffic. The intersection continues to operate at an unacceptable LOS both with and without project traffic but worsens slightly with project traffic. The LOS for this intersection worsens from LOS E to LOS F during the evening peak hour with Phase 2 traffic and for both phases of the Ecoplex project. For the evening peak hour, the intersection delay also increases to 54.1 seconds with Phase 2 and to 57.7 seconds with both phases, and increase of 8.2 seconds and 11.8 seconds respectively from the existing conditions.

Since the project plus Phase 1 for the existing traffic, was found to increase the delay at the East Palm Canyon Drive and Margot Murphy Way intersection, a traffic warrant analysis was performed to determine whether a traffic signal should be installed or not. The analysis found that a traffic signal was warranted for this scenario involving existing plus both phases of the Ecoplex project. However, the TIA recommended against installation of a traffic light because of the limited amount of traffic that would be impacted by the increased delay.

Table 3-16: Existing Plus Project Intersection Delay and Level of Service for Phase 2

Intersection	Jurisdiction	Traffic Control[3]	Intersection Approach Lanes[1]												Peak Hour Delay-LOS[2]	
			Northbound			Southbound			Eastbound			Westbound				
			L	T	R	L	T	R	L	T	R	L	T	R	Morning	Evening
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															
- Without Improvements		CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	30.1-D	54.1-F
- With Improvements		**TS**	1	0	d	1	0	d	1	3	d	1	1.5	0.5	3.0-A	3.6-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	15.4-B	17.3-B

Table 3-17: Existing Plus Project Intersection Delay and Level of Service for Both Phases

Intersection	Jurisdiction	Traffic Control[3]	Intersection Approach Lanes[1]												Peak Hour Delay-LOS[2]	
			Northbound			Southbound			Eastbound			Westbound				
			L	T	R	L	T	R	L	T	R	L	T	R	Morning	Evening
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															
- Without Improvements		CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	32.3-D	57.7-F
- With Improvements		**TS**	1	0	d	1	0	d	1	3	d	1	1.5	0.5	3.0-A	4.1-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	15.5-B	17.3-B

SCENARIO 3: OPENING YEAR (2019) TRAFFIC CONDITIONS

To assess project traffic conditions for the 2019 opening year for the Ecoplex II project, project traffic (both phases) was combined with projected traffic volumes at the studied intersections. The 2019 traffic volumes were interpolated from the subregional travel demand model currently being used for long range planning in the City of Cathedral City. This Year 2035 traffic model is commonly referred to as the Coachella Valley Association of Governments Traffic Model. The Opening Year (2019) forecasts were developed from the Coachella Valley Association of Governments Traffic Model using accepted procedures for model forecast refinement and smoothing. The Opening Year (2019) traffic volumes were interpolated from the Year 2035 traffic volumes based upon a portion of the future growth increment.

Traffic volume projections for the year 2019 also included all other projects expected in the area. Table 3-18 lists the proposed land uses for other development obtained from the Cities of Cathedral City and Palm Springs Transportation/Planning Departments. The list includes projects whose trips are projected to contribute trips to the study area.

Table 3-18 Other Project Trip Generation

Project	Land Use	Quantity	Units[1]	Peak Hour Morning Inbound	Morning Outbound	Morning Total	Evening Inbound	Evening Outbound	Evening Total	Daily
Auto Dealership[2]	Auto Dealership	--	--	46	12	58	28	34	62	744
The District[3]	Single-Family Detached Residential	47	DU	9	26	35	30	17	47	447
Rainbow Vision[4]	Senior Residential	184	DU	15	26	41	29	20	49	677
Club Saxony4	Resort Hotel	312	RM	69	28	97	56	75	131	1,310
Cathedral City Senior Housing[5]	Senior Adult Housing - Attached	69	DU	5	9	14	10	8	18	237
	Specialty Retail Center	0.673	TSF	2	2	4	2	1	3	30
	High Turnover (Sit-Down) Restaurant	1.623	TSF	10	8	18	10	6	16	206
	Medical-Dental Office	1.414	TSF	3	1	4	1	4	5	51
	Non-Residential Subtotal			15	11	26	13	11	24	287
	Internal Capture (50%)			-8	-6	-14	-7	-6	-13	-144
	Total Project Subtotal			12	14	26	16	13	29	380
Thunderbird Resort & Spa[6]	Health Club	3.528	TSF	1	1	2	4	3	7	62
	Spa	7.95	TSF	3	3	6	8	6	14	140
	Hotel	135	RM	36	14	50	28	38	66	1,204
	Hotel Restaurant	7.213	TSF	1	1	2	18	9	27	324
	Ballroom/Meeting Room	7.25	TSF	28	3	31	28	3	31	311
	Office	2.404	TSF	1	0	1	0	1	1	8
	Single-Family Detached Residential	47	DU	9	26	35	30	17	47	447
	Subtotal			79	48	127	116	77	193	2,496
Total				230	154	384	275	236	511	6,054

Table 3-19 shows the results of the calculations using the intersection delay methodology for opening year 2019 without the project and Table 3-20 shows the 2019 traffic volumes with the project. Each of the studied intersections was found to operate at an acceptable LOS with the exception of Margot Murphy Way and East Palm Canyon Drive. This intersection continues to operate at an unacceptable LOS both with and without project traffic but worsens with project traffic. The evening peak hour would decline from the existing LOS E to LOS F with the project traffic for opening year 2019 both with and without the project. The morning peak-hour traffic would also worsen from the existing LOS D to LOS E for year 2019 for both with and without the project.

Table 3-19: Opening Year (2019) Without Project Intersection Delay and Level of Service

Intersection	Jurisdiction	Traffic Control[3]	Northbound L	Northbound T	Northbound R	Southbound L	Southbound T	Southbound R	Eastbound L	Eastbound T	Eastbound R	Westbound L	Westbound T	Westbound R	Peak Hour Delay-LOS[2] Morning	Peak Hour Delay-LOS[2] Evening
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	Cathedral City															
- Without Improvements		CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	38.0-E	90.3-F
- With Improvements		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 3-20: Opening Year (2019) with Project Intersection Delay and Level of Service for Phase 2

Intersection	Jurisdiction	Traffic Control[3]	Intersection Approach Lanes[1]												Peak Hour Delay-LOS[2]	
			Northbound			Southbound			Eastbound			Westbound				
			L	T	R	L	T	R	L	T	R	L	T	R	Morning	Evening
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	Cathedral City															
- Without Improvements		CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	43.1-E	99.9-F[4]
- With Improvements		**TS**	1	0	d	1	0	d	1	3	d	1	1.5	0.5	3.0-A	4.2-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	17.1-B	19.9-B

Despite the worsening traffic conditions for the East Palm Canyon Drive and Margot Murphy Way, the TIA analysis found that a traffic signal was not warranted for opening year 2019 without project traffic due to the small volume of traffic that would be affected by the increased delay.

Table 3-20 shows traffic conditions for opening year 2019 with Ecoplex Park Phase 2 traffic. For opening year both with the project traffic, none of the studied intersections exceeded LOS D with the exception of the East Palm Canyon Drive and Margot Murphy Way. For that intersection, the morning peak-hour traffic worsens from the existing LOS D to LOS E for 2019 both with and without the project. The intersection remains at LOS F for the evening peak hour, but the average intersection delay increased during the evening peak hour by 9.6 seconds over that without the project.

To determine whether project traffic at the East Palm Canyon Drive and Margot Murphy Way intersection would result in the need for a traffic signal with project traffic, additional analysis was performed by the traffic consultant. The traffic signal warrant methodology directly addresses whether a traffic signal should be installed or not, where as one of the byproducts of the delay methodology implies that a traffic signal is needed. The TIA evaluated the unsignalized intersection using the California Department of Transportation Warrant 3 Peak-Hour traffic signal warrant analysis. A traffic signal was found to be warranted for that intersection for opening year 2019 with Ecoplex Phase 2 traffic for the following:

Margot Murphy Way (NS) at:

Palm Canyon Drive (EW) - #2

A traffic signal was also projected to be warranted at the following study area intersection for Opening Year (2019) With Project – Both Phases traffic conditions (see Appendix F):

Margot Murphy Way (NS) at:

Palm Canyon Drive (EW) - #2

Therefore, the project would result in a significant impact during the opening year 2019 with Phase 2 of the Ecoplex project. The TIA recommended mitigation is for the applicant to pay a fair share of a towards cost of installation of the traffic signal for the East Palm Canyon Drive and Margot Murphy Way intersection. The fee will be shared by all projects proposed to be located on vacant property on Margot Murphy Way. With implementation of mitigation the project will result in a less than significant impact for opening year 2019 traffic.

Cumulative Impacts

Year 2035 traffic was calculated for the projected 2035 project trips, that included Phase 1 and Phase 2 Ecoplex Park 2035 project trips, a future auto dealership for the remaining lot on Margot Murphy Way, 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 area wide growth anticipated to occur between the years 2017 and 2035. The year 2035 intersection delay and LOS for the project plus Phase 1, the future auto dealership, and area-wide growth is shown in Table 3-21.

As shown in the Table 3-21, the project cumulative traffic (Ecoplex I and II, plus the auto dealership) with area wide project traffic would result in a significant increase in the intersection delay and LOS F for both morning and evening peak-hour traffic. The TIA concluded that for the year 2035 with project traffic plus Phase 2 and area wide expected traffic volume increase, a traffic signal would be warranted at Margot Murphy Way and East Palm Canyon Drive based on projected LOS and traffic signal warrant analysis performed for the project. The other studied intersections would continue to operate at an acceptable LOS of D or better.

The City requested that a fair-share analysis be performed to determine the percentage of new traffic volumes added to the Margo Murphy Way and East Palm Canyon Drive intersection. The traffic analysis included the results of the fair-share analysis for the traffic signal warrant for all phases of the development of the remaining properties on Margot Murphy Way. The fair share analysis shows that the Ecoplex phase 2, 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 have a significant cumulative impact on 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 a fair-share payment for a traffic signal at the location. Mitigation measure T-1 requires a fair-share payment for the installation of a traffic signal at East Palm Canyon Drive and Margot Murphy Way that mitigate project traffic impacts at that intersection for both opening year 2019 and for cumulative traffic impacts. As such, the project would result in a less than significant impact to cumulative traffic with the implementation of mitigation measure T-1.

Table 3-21: Year 2035 with Project Intersection Delay and Level of Service (Phase 1 plus Phase 2 plus area wide projects)

Intersection	Jurisdiction	Traffic Control[3]	Intersection Approach Lanes[1]												Peak Hour Delay-LOS[2]	
			Northbound			Southbound			Eastbound			Westbound				
			L	T	R	L	T	R	L	T	R	L	T	R	Morning	Evening
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															
- Without Improvements		CSS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	94.9-F	99.9-F[4]
- With Improvements		TS	1	0	d	1	0	d	1	3	d	1	1.5	0.5	2.9-A	4.6-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	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 for private development projects are required by the local agencies. The TIA (Appendix F) prepared for the project found that studied intersections currently operate at acceptable levels of service with the exception of Margot Murphy Way, which 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 affected 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 buildings on an approximately 3.07-acre site for cannabis cultivation. Approximately 40 workers will be employed between the two buildings. As such, it may result in a minor increase in project employees using the airport during construction and operation of the project. 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 with mitigation.** The project involves the subdivision of an approximately 3.07-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.

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 are included in mitigation measure T-2 and will be included as conditions of project approval. Therefore, potential hazards associated with incompatible design features will be less than significant with implementation of mitigation.

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 Department. 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 for the 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.

T-2. 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/striping 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
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	☐	☐	☐	☒
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.

Background

A cultural resources study (Appendix C) dated May 25, 2017 was prepared by ASM Affiliates for the project to determine if the project site (both phases) and surrounding area harbored, or had to potential to harbor, prehistoric or historic resources. The area included for review by ASM in their records search and field survey included a ten-acre area that included the project site, the adjoining site for Phase 1 of the Ecoplex Park project and additional property adjacent to the north, between the project site and East Palm Canyon Drive. Figure 3-6 shows the area covered by the cultural resources assessment.

The project site is located within the boundaries of the ACBCI Reservation and, therefore, the project is subject to review by the Tribal Office of Historic Preservation for impacts to cultural resources.

The site was previously occupied by the Desert Hills Mobile Home Park that was demolished sometime between 2005 and 2009. The project site was used more recently for stockpiling and staging during the construction of the Eagle Canyon Dam. With the exception of the southeast corner, the site is currently vacant, has been graded and covered with dirt from the Eagle Canyon Dam project.

The following background and analysis related to historical and prehistorical resources is based on the cultural resources assessment prepared for the project and the AB 52 consultation by City staff.

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 archaeologic 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 (Native American Historical Resource Protection Act)

AB 52 requires a lead agency to consider a project's impacts on "Tribal Cultural Resources" (TCRs) in an Initial Study and requires consultation with Native American tribes when requested. 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).

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.

AB 52 Consultation

The City of Cathedral City Planning Department staff began AB 52 consultation with mailing letters requesting consultation on the project to tribes on file with the City. The tribes are permitted up to 30 days to respond from the date of the letters (October 23, 2017). To date, the City has received one response. The City received a response letter from Anthony Madrigal, Twenty-Nine Palms Band of Mission Indians Tribal Chairman on December 19, 2017. Mr. Madrigal deferred comments on the project to the Agua Caliente Band of Cahuilla Indians (ACBCI) since the project is within the ACBCI Reservation lands. Mr. Madrigal requested that if unknown archaeological resources or remains are uncovered during construction, that the project stop and the appropriate agency and tribe(s) be notified. Mitigation measures CR-1 and CR-2 have been imposed on the project that comply with the requests.

CHECKLIST REPONSES

ai) 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 past grading activities. The cultural resources assessment 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. Seven tribes were contacted and one response has been received as of the date of this report. The response was from Anthony Madrigal, Tribal of the Twenty-Nine Palms Band of Mission Indians (the Tribe). Mr. Madrigal stated that he was not aware of any additional archaeological/cultural sites or properties in the project area that pertain to the Tribe. In addition, no evidence was found during the cultural resources assessment of any known tribal cultural resources on the project site or within the surrounding area. Therefore, 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)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.

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 during site excavation since excavation may be deeper than previous ground disturbances. 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.

Mitigation Measures:

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

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

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.

According to 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 waste from the project.

Checklist Responses:

Would the project:

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

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

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 the DWA. DWA's wastewater collection system utilizes sewer mains ranging in size from 8 to 18 inches in diameter.[6] Wastewater is conveyed through sewer lines from 4 to 24 inches in diameter. DWA does not

[6] P. VI-3, Water, Sewer & Utilities Element, Cathedral City Comprehensive General Plan, adopted Sept. 31, 2002, as amended Nov. 18, 2009

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[7] (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. 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 that would drain to a sub-surface retention basin on-site. Discharge over the 100-year peak discharge would be sent from the diversion structure to connect with the storm drain of the adjacent Ecoplex I storm drain system and the combine flow would be directed to a 24-inch storm drain that connects to the existing RCFC storm drain system.

With the planned use of stormwater detention facilities on the project site and adjacent site, the overall volume of stormwater drained into the stormwater system from the project would be minor. Given the minor increase in overall runoff volume and the construction of on-site water drainage system and sub-surface retention basin, the amount of stormwater resulting from the project would be negligible and would not require expansion of existing stormwater facilities. Therefore, the project will result a less than significant impact from construction or expansion of stormwater drainage facilities.

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[7] P. VI-3, Cathedral City Comprehensive General Plan, adopted July 31, 2002, amended Nov. 18, 2009.

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 June 6, 2017 that was sent to the applicant, the DWA stated 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 until sludge build-up renders it unusable. 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?

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

e, f. & g. **Less than significant impact.** Burrtec Waste Industries, which provides solid waste collection and disposal services to the City of Cathedral City through an exclusive franchise agreement, is required to meet all local, state and federal standards for solid waste disposal. Solid waste is 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. As a condition of approval of the CUP, 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.

In compliance with 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.

Regulatory Requirements

RR-1 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

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

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)
D. The project applicant shall obtain a "will serve" letter from Burrtec before issuance of grading permits for the project.

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

a. Less than significant with mitigation

Biological resources

The project site has sandy soils, and minimal vegetation, and the area of the project site proposed to be developed on the project site has been graded and covered with infill soil from the Eagle Canyon Dam project. Although the project site has been highly disturbed, 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. As mitigation for project impacts, a burrowing owl survey (BIO-1) will be required to be conducted not 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) be conducted not more than 14 days before start of construction if construction is to occur during the MBTA nesting cycle (February 1-September 30).

With the implementation of mitigation for the burrowing owl and migrating birds, development of the site will not result in a significant impact to 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 were found on or near the site during the records search. Archaeological resources were not 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 project may result in excavation below previous ground disturbance, 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. Implementation of this mitigation will reduce the impact from potential discovery of subsurface cultural resources to less than significant.

Tribal Cultural Resources

The project site was found to have little potential for harboring TRCs due to prior disturbances such as site grading and addition of infill soil. However, since excavation for the project may be deeper than previous

ground disturbance, there is a small potential to uncover unknown TRCs. Implementation of mitigation measure TRC-1 will reduce the impact 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 and T-2 will reduce the impact to less than significant.

c. **Less than significant with mitigation.** As demonstrated in this analysis, the project may result in impacts to human beings associated with odors, geology and soils, and location within an airport land use plan. Odor impacts resulting from operation of a cannabis cultivation facility will be reduced to less than significant with implementation of mitigation measure AQ-1. Geological impacts resulting from earthquakes will be mitigated to less than significant with implementation of mitigation measure GEO-1. Potential impacts from rockslides associated with earthquakes will be reduced to less than significant with implementation of mitigation measure GEO-2. Project impacts from location within an airport land use plan will be mitigated with implementation of mitigation measures HAZ-1 through HAZ-4. Water quality impacts may also result from the project These impacts will be mitigated with the implementation of mitigation measures HD-1 and HD-2. All other direct or indirect impacts on humans resulting from the project are expected to be less than significant.

CHAPTER 4 – 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
Air Quality	AQ-1: Before issuance of grading permits, the developer/applicant shall provide plans, or equivalent proof, that the project will be equipped with an odor absorbing ventilation and exhaust system acceptable to the City Engineer, in compliance with CCMC section 9.108.080 A.1. The odor infiltration system shall be reviewed and approved by the City before issuance of building permits.	City Engineer/ Building Official	Before issuance of building permits	Less than significant
Biological	BIO-1. Before issuance of any building permit for the project, a pre-construction survey using the proper USFWS and CDFW protocols shall be conducted for the burrowing owl no more than five days before any ground-disturbing activities. 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 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
	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 for 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	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
	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.			
Cultural Resources	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.	City Planner Archaeologist	During construction activities	Less than significant
	CR-2 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 and Tribal representative	During exaction/ construction activities	Less than significant
Geology	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	City Engineer	Before issuance of building permits	Less than significant

Section	Mitigation Measure	Monitoring responsibility	Timing	Impact after mitigation
	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.			
	GEO-2: Before issuance of building permits, the project applicant shall provide revised plans showing a rock protection barrier along the south side of the Eagle Canyon Dam storm drain easement consisting of the Geobrugg TXI-010 or equivalent. The City Engineer shall review and approve the barrier before issuance of building permits.	City Engineer	Before issuance of building permits	Less than significant
Hazards and Hazardous Materials	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.	Building Official	Before issuance of building permits	Less than significant
	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 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.)	Planning Manager	Before issuance of building permits	Less than significant

Section	Mitigation Measure	Monitoring responsibility	Timing	Impact after mitigation
	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 purchases of the property and tenants of the buildings.	Applicant Planning Manager	During construction	Less than significant
	HAZ-4: Any new retention or detention basins on the site shall be designed so as to provide for a 36-hour detention/infiltration 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.	City Engineer	Before issuance of building permits	Less than significant
Hydrology and Water Quality	HD-1: All water used in the cultivation process that cannot be recycled shall not be released into the storm drain system but shall be stored on site in a separate storage tank and picked up by a licensed hazardous waste hauler.	City Engineer	During operation	Less than significant
	HD-2: Before start of operation of the cannabis cultivation facility and issuance of a Certificate of Occupancy the applicant will be required to show the City proof of contract with a licensed hazardous waste hauler that will be responsible for removing all hazardous wastewater and solid waste generated at the project site.	City Engineer	Before issuance of building permits	Less than significant
Traffic	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.	City Engineer	Before issuance of permits	Less than significant
	T-2: 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:	City Engineer	Before issuance of permits	Less than significant

Section	Mitigation Measure	Monitoring responsibility	Timing	Impact after mitigation
	• 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/striping 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.			
Tribal Cultural Resources	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.	Developer	During construction	Less than significant

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APPENDICES

A – Air Quality and Greenhouse Gas Impact Analysis

B – Habitat Assessment Report

C – Cultural Resources Assessment

D – Geotechnical Investigation Report

E – Phase I Environmental Site Assessment

F – Traffic Impact Analysis

G – Preliminary Hydrology Study