DRAFT

Environmental Impact Report

Amendment to Specific Plan DHS SP #01-17

Coachillin' Industrial Cultivation and Ancillary Canna-Business Park

Coachillin' Holdings, LLC

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State Clearinghouse Number 2021080065

Prepared for:

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ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Description
AB	Assembly Bill
AICUZ	Air Installation Compatible Use Plan
APN	Assessor's Parcel Number
ASTM	American Society for Testing Materials
AQMP	Air Quality Management Plan
CAFÉ	Corporate Average Fuel Economy
CalGreen Code	California Building Energy Efficiency Standards
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Universal Building Code
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFC	chlorofluorocarbons
CFR	Code of Federal Regulations
CH_4	methane
CNEL	Community Equivalent Noise Level
CO	carbon monoxide
CO_2	carbon dioxide
Approved Specific Plan	Coachillin' Industrial Cultivation and Ancillary Canna-Business Park (Specific Plan #01-17), as approved November 2017
County	Riverside County

ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Description
CVAG	Coachella Valley Association of Governments
CVCC	Coachella Valley Conservation Commission
CVMSHCP	Coachella Valley Multiple Species Conservation Plan
CWA	Clean Water Act
dBA	decibels on the A weighted scale
DEIR	Draft Environmental Impact Report
DOT	California Department of Transportation
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FTA	Federal Transit Administration
g/L	gallons per liter
GHG	greenhouse gases
GP	General Plan
HCP	Habitat Conservation Plan
IEPR	Integrated Energy Policy Report
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
L_{eq}	average noise level over a period of time on the A weighted decibel scale
L_{dn}	Day Night Level
LOS	Level of Service
LST	localized significance threshold
MBTA	Migratory Bird Treaty Act
MND	Mitigated Negative Declaration
mpg	miles per gallon
MT CO_2e	million tons of carbon dioxide equivalents
NAAQS	National Ambient Air Quality Standards
NHTSA	National Highway Traffic Safety Standards
N_2O	nitrous oxide
NO_x	oxides of nitrogen
NPPA	Native Plant Protection Act
O_3	ozone
OEHHA	Office of Environmental Health Hazard Assessment
OITC	Outdoor-Indoor Sound Transmission Class
OPR	Governor's Office of Planning and Research
$PM_{2.5}$	particulate matter with a diameter of 2.5 microns or less
PM_{10}	particulate matter with a diameter of 10 microns or less
Proposed Project	Amendment of Specific Plan #01-17
PPV	Peak Particle Velocity
PUC	California Public Utilities Commission
RIVTAM	Riverside Transportation Analysis Model
SAA	Streambed Alteration Agreement
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison

ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Description
SIP	State Implementation Plan
SP	service populations
SR	State Route 62
SSAB	Salton Sea Air Basin
STC	Sound Transmission Class
OITC	Outdoor-Indoor Sound Transmission Class
TAC	Toxic Air Contaminants
TAZ	Traffic Analysis Zone
TEA-21	Transportation Equality Act for the 21st Century
TIA	Traffic Impact Analysis
USFWS	US Fish and Wildlife Service
VMT	vehicle miles traveled

SUMMARY

S.1 Introduction

This Draft Environmental Impact Report (DEIR) identifies and evaluates the potential environmental impacts associated with the implementation of the Amendment to the Specific Plan DHS SP #01-17 (Proposed Project) in Desert Hot Springs, California. Specific Plan DHS SP #01-17, also known as the Coachillin' Specific Plan, was approved by the City of Desert Hot Springs (City) in November 2017. The City of Desert Hot Springs is the Lead Agency responsible for preparation of this DEIR. This DEIR was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq). CEQA requires that the Lead Agency, in this case the City, consider the information contained in the EIR prior to taking any discretionary action on the Project. The Lead Agency is the agency with primary responsibility for approval of a project. Other public agencies may also use this EIR to inform discretionary actions related to the Proposed Project.

This Summary has been prepared in accordance with the CEQA Guidelines Section 15123, which states that an EIR should contain a brief summary of the Proposed Project and its consequences, and should identify:

1. each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect,
2. areas of public controversy known to the lead agency, including issues raised by the agencies and the public, and
3. issues to be resolved, including the choice among alternatives and how to mitigate the significant effects.

S.2 Project Location and Setting

The Coachillin' Industrial Cultivation and Ancillary Canna-Business Park (Specific Plan #01-17) (Coachillin' Specific Plan) is located on parcels APNs 666-340-008 through 666-340-055 located on 153.71 gross acres bounded by 18th Avenue to the north, 19th Avenue to the south, Indian Canyon Drive to the west, and Calle de los Romos to the east. Until 2010, these parcels were under the land use authority of Riverside County (County). In 2008, an industrial development of approximately 2,952,000 square feet (sf) of warehousing on approximately 161 gross acres was approved by the County, and a Mitigated Negative Declaration (MND) (State Clearinghouse Number 2008081058) was approved for this project. The parcels were annexed to the City of Desert Hot Springs in 2010 and the County approvals were adopted for the project site in the Development Permit process (DP 05-11 and EA 41621).

In 2017, a Specific Plan for the site was submitted to the City, which was adopted on October 17, 2017. The approvals for the Specific Plan included an MND Addendum supported by an Initial Study and updated technical studies for air quality, biological resources, wetland delineation, cultural resources, paleontological resources, geotechnical/geologic resources, greenhouse gas emissions, hazards/hazardous materials, hydrology and water quality, noise, water supply assessment, and traffic

impact analysis. An Addendum to the original MND was prepared and adopted on October 17, 2017 along with other project approvals. The 2017 project is referred to in this EIR as the **Approved Specific Plan**.

The project applicant has submitted an application for an Amendment to the Specific Plan that would modify the allowed land uses in the Specific Plan Mixed Use Zone along with accompanying changes in the Development Standards and Design Guidelines to allow potential hotel and amphitheater uses on Parcels 30 and 31, respectively and parking on Parcel 25 (see Figure 2-1 in Chapter 2 of the EIR). The Amendment is referred to in this EIR as the **Proposed Project**. These changes are summarized below and are further described in Chapter 2 of this document.

Since the approval of the Specific Plan in 2017, site work has been initiated to support the development of the Approved Specific Plan. Parcels 25, 30 and 31 have been rough graded, and utilities, interior roads, and the perimeter wall have been constructed. This approved work is considered part of the baseline for environmental analysis for the Proposed Project. Section 3.4.1 includes a detailed list of site work that has been completed under the Approved Specific Plan and recent photographs of the site.

S.3 Description of Proposed Project

Chapter 2 of this DEIR contains a detailed description of the Proposed Project. The Proposed Project is an Amendment to Specific Plan DHS SP #01-17 that would modify the allowed land uses in the Specific Plan Mixed Use Zone along with accompanying changes in the Development Standards and Design Guidelines to allow potential hotel and amphitheater uses on Parcels 30 and 31, respectively (Figures 2-1 and 2-2 in Chapter 2). The proposed hotel would include 175 guest rooms within a 4-story,150,000 square foot building. The proposed amphitheater would seat approximately 5,000 people and host a maximum of four concerts or special events per month. The amphitheater would employ ten full-time employees and up to 100 temporary employees on event days. Planning Areas would remain the same as currently approved (Figure 2-2 in Chapter 2). However, the proposal would allow additional uses in the Mixed-Use designation. Additionally, the 7-acre Parcel 25 was originally provided for Southern California Edison (SCE) power stations and systems to serve the Specific Plan projects. SCE no longer requires this lot; therefore, the Amendment proposes to re-designate Parcel 25 as Industrial Energy & Utilities (IE). Because Parcel 25 is no longer needed for an electrical substation, a 420-space parking lot with solar covered parking is proposed. Project construction for all elements is anticipated to take one year, opening in 2023 or 2024.

S.4 Project Objectives

The objectives of the Specific Plan Amendment are the same as for the approved Specific Plan and are listed below for convenience:

- Provide the framework and guidelines for the creative development of an innovative industrial and business park in the City of Desert Hot Springs
- Enhance the City's objectives of attracting and developing new business, uses, and activities geared toward jobs, taxes, and visitors that will contribute to the community's economic base and financial stability.

- Assure that public facilities are adequately provided in an efficient, sustainable, and timely manner in cooperation with local and regional purveyors.
- Integrate programs using the latest techniques and strategies for energy conservation and allow for the implementation of alternative energy systems. Exceed Title 24 energy conservation objectives.

S.5 Summary of Impacts and Mitigation Measures

Table S-1 presents a summary of Project-specific environmental impacts analyzed and identified in this DEIR, the mitigation measures proposed for those impacts (if required), and the level of significance after mitigation. The analysis in this DEIR concludes that, although certain impacts are considered significant or potentially significant, the majority of these impacts could be avoided or reduced to less than significant with implementation of mitigation measures. All impacts would be less than significant after the implementation of mitigation measures, with the exception of cumulative effects for greenhouse gas emissions, which would remain significant even after the implementation of all feasible mitigation.

Greenhouse gas emissions from the Proposed Project would be 1,529.86 metric tons (MT) of carbon dioxide equivalents (CO_2e) per year, which is less than the SCAQMD threshold of 3,000 $MTCO_2e$ per year for mixed uses. When added to the previously-approved uses within the Approved Specific Plan, the Proposed Project would increase the total greenhouse emissions from the Specific Plan by 503.43 $MTCO_2e$ per year when compared to the total emissions from the Approved Specific Plan. This increase is mainly due to the increase in greenhouse gas emissions from traffic generated by the amphitheater use on event days. The total greenhouse gases generated by the Proposed Project plus other uses in the Approved Specific Plan, without mitigation, would be 10,379.20 $MTCO_2e$ per year, which would be greater than both the industrial threshold of 10,000 $MTCO_2e$ and 3,000 $MTCO_2e$ for mixed land uses resulting in a significant cumulative impact.

Greenhouse gas emissions from energy use have been minimized through compliance with the energy efficiency design requirements consistent with the CALGreen Code, the City's CAP, and additional energy efficiencies incorporated into the Project's design, as listed here:

<u>Regulatory Compliance</u>

- Using low-flow fixtures that would reduce indoor water demand by 20 percent per CalGreen standards
- Using water efficient irrigation systems
- Implementing recycling programs that reduce waste to landfills by a minimum of 75 percent per AB 341
- Limiting re-application of architectural coatings to buildings to 50 grams per liter VOC ontent and traffic paints to 100 grams per liter VOC content per SCAQMD rule 1113

<u>Project Design Features</u>

- Grey water will provide 100 percent of landscape irrigation water

- Energy Star® appliances will be used
- Energy efficient lighting will be used that is at least 34% more efficient than standard
- On-site wind and solar will provide approximately 40% of the total annual energy needs

As stated previously, increases in greenhouse gas emissions are mainly due to the increase in greenhouse gas emissions from traffic generated by the amphitheater use on event days. Mitigation Measure AQ-3 would be implemented to reduce the number of patron vehicle trips on event days, which are anticipated to be approximately four times per month:

AQ-3: During an event at the proposed amphitheater, a charter shuttle bus service shall be provided with a pick-up location within the Downtown Palm Springs area. The charter shuttle bus service shall be a reservation-based service provided by the event organizer so that the size of the vehicle and exact schedule can be determined based on the type of event, ticket sales, and demand. At least 25 percent of the tickets sold for each event will include the cost for a shuttle or rideshare option.

Mitigation Measure AQ-3 would reduce greenhouse gas emissions from the Proposed Project by 25.14 $MTCO_2e$ per year. Although the implementation of Mitigation Measure AQ-3 would reduce greenhouse gas emissions from patron vehicles, total emissions from the Proposed Project when added to other uses in the Approved Specific Plan would be 10,354.06 $MTCO_2e$ per year, which is still above the threshold of 3,000 $MTCO_2e$ per year, representing a significant cumulative impact.

Greenhouse gas emissions from mobile sources are regulated by the State and Federal government, and cannot be regulated by the City of Desert Hot Springs. Therefore, it would be infeasible for the Project to provide additional mitigation for patron vehicles, which make up the majority of the vehicle trips for the hotel and amphitheater. Therefore, cumulative greenhouse gas impacts would remain significant even after the implementation of all feasible mitigation measures.

S.6 Project Alternatives

The CEQA Guidelines Section 15126.6 specifies that an EIR must describe and evaluate a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects of the project. Chapter 5 of this DEIR describes the alternatives to the Proposed Project. A number of alternatives were considered and rejected (Section 5.2), and the No Project Alternative was analyzed. With the No Project Alternative, the City would not approve the Specific Plan Amendment. Development of Parcels 30 and 31 would occur in accordance with the Approved Specific Plan's Mixed Use zoning. A wide range of uses would be allowed, including agriculture; light industrial; general commercial; recreation, education and public assembly (including theaters); and cannabis dispensary (non-storefront), cultivation, and manufacturing facilities. The Approved Specific Plan's CEQA document (City of Desert Hot Springs 2017) evaluated cannabis cultivation on Parcels 30 and 31 and an SCE substation on Parcel 25. The No Project Alternative would have similar impacts when compared to the Proposed Project, with the exception of cumulative impacts to greenhouse gas emissions, which would be greater with the Proposed Project. However, the No Project Alternative would not meet Project Objectives.

S.7 Areas of Controversy/Issues to be Resolved by Lead Agency

CEQA Guidelines Section 15123(b)(2) requires an EIR to identify areas of controversy or public interest. Prior to the preparation of this EIR, an Initial Study and Notice of Preparation (NOP) were prepared for the Project (Appendix A). The City distributed the NOP for review and comment to Responsible and Trustee Agencies, the State Clearinghouse, and other interested parties for a 30-day scoping period from August 5, 2021 to September 7, 2021. All comment letters received in response to the NOP are included in Appendix A of this DEIR.

Based on information and comments received in response to the NOP, the following issues required further analysis in this DEIR to allow the City to make an informed decision on the Proposed Project: air quality, biological resources, energy, greenhouse gas emissions, noise, and transportation.

CEQA requires an EIR to identify issues to be resolved. Issues to be resolved by the Lead Agency include the following:

- Whether the EIR adequately describes the environmental impacts of the Project;
- Whether the recommended mitigation measures should be modified/adopted;
- Whether the benefits of the Proposed Project override the significant cumulative impacts to air quality and greenhouse gases; and
- Which among the Project and alternatives should be selected for approval.

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
AIR QUALITY			
Would the Project: • Conflict with or obstruct implementation of the applicable air quality plan? • Expose sensitive receptors to substantial pollutant concentrations	Construction of the Proposed Project would cause emissions of criteria pollutants.	**AQ-1:** Architectural coatings applied to project buildings are to be limited to 50 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content. **AQ-2:** The project applicant shall ensure that all applicable SCAQMD Rules and Regulations are complied with during construction and the construction contractor use construction equipment that have Tier 3 or better engines for any on-site construction.	LTS
	Operation of the Proposed Project would cause emissions of criteria pollutants.	No mitigation measures are required.	LTS
Would the Project: • Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard?	Operation of the Proposed Project would cause emissions of criteria pollutants that, when combined with emissions from other uses in the Specific Plan, would cause daily emissions of Reactive Organic Gases (ROG) to be above daily thresholds on days where an amphitheater event occurs.	**AQ-3:** During an event at the proposed amphitheater, a charter shuttle bus service shall be provided with a pick-up location within the Downtown Palm Springs area. The charter shuttle bus service shall be a reservation-based service provided by the event organizer so that the size of the vehicle and exact schedule can be determined based on the type of event, ticket sales, and demand. At least 25 percent of the tickets sold for each event will include the cost for a shuttle or rideshare option.	LTS
Would the Project: • Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Construction and operation of the Proposed Project would not result in substantial odor emissions.	No mitigation measures are required.	LTS
BIOLOGICAL RESOURCES			
Would the Project:	The Proposed Project would be located on the same site as the Approved Specific Plan, which is within an area managed	**BR-1:** Prior to construction and issuance of any grading permit, the City of Desert Hot Springs shall ensure	LTS

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
• Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? • Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? • Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	by the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The Proposed Project is not within or adjacent to any Conservation Areas designated by the CVMSHCP. Since the approval of the Specific Plan in 2017, the Project Site has been graded and compacted, supporting no native vegetation, and is surrounded by a perimeter block wall. As such, access to the site for sensitive terrestrial species (desert tortoise and kit fox) is considered to be extremely limited and the site would not be expected to support breeding habitat for these species. If one or more of these species were to use the site, it would likely only be used on a temporary basis for access to water or food resources. Additionally, nesting birds (including burrowing owl) could also access the site. Proposed Project construction could adversely impact sensitive wildlife species if they are present during construction.	compliance with the CVMSHCP and its associated Implementing Agreement and shall ensure that the payment of the CVMSHCP Local Development Mitigation Fee for the Proposed Project is remitted to the Coachella Valley Conservation Commission. **BR-2:** Pre-construction burrowing owl surveys shall be conducted no less than 14 days prior to the start of onsite construction activities and within 24 hours prior to ground disturbance in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012 or most recent version). Pre-construction surveys shall be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation.* If the pre-construction surveys confirm occupied burrowing owl habitat, ground-disturbing activities within the vicinity of the burrow shall be immediately halted within a buffer established by a qualified biologist. CDFW shall be notified of positive burrowing owl survey results within 48 hours of detection. The qualified biologist shall coordinate with CDFW to develop avoidance and minimization measures to be approved by CDFW prior to commencing Project activities. **BR-3:** Although the Project site is not expected to support desert tortoises, there is a limited possibility of a desert tortoise being present prior to ground disturbance activities if one can get in through one of the gates. For this reason, no more than 14 calendar days prior to the start of ground disturbance activities, the Project biologist shall	

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		conduct a pre-construction survey for desert tortoise in order to detect any vagrant desert tortoise that may have wandered onto the site. The survey will be performed as described in the USFWS *Desert Tortoise (Mojave Population) Field Manual* (USFWS 2009 or most recent version). Should desert tortoise presence be confirmed during the survey, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance, minimization, and mitigation measures. During the active season (April to May and September to October), tortoises are expected to be above-ground or detectable within their burrows (i.e., not aestivating or hibernating). Individual tortoises located within the area proposed for ground-disturbance (including those within burrows) shall be allowed to move outside of the area on their own accord and no work may occur until the tortoise is out of harm's way. Any handling of tortoises for the purpose of relocation will be coordinated with CDFW and USFWS prior to handling them. During the inactive season for tortoises (November through March, June through August), individual tortoises are not expected to be above ground but may be aestivating or hibernating within their burrows. During this period, potential tortoise burrows identified in the pre-activity survey should be flagged by a qualified biologist. An appropriately sized non-disturbance buffer shall be established around each potential tortoise burrow by the qualified biologist who conducted the pre-activity survey.	

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		BR-4: Although the Project site is not expected to support desert kit foxes, there is a limited possibility of a desert kit fox being present prior to ground disturbance activities if one can enter through one of the gates or over the fence. No more than 14 days prior to the beginning of ground disturbance during desert kit fox breeding season (December to February), a qualified biologist shall conduct a pre-construction survey to determine if potential desert kit fox burrows/dens are present within the limits of construction. Pre-construction surveys should include 100 percent visual surveys of the limits of construction. If the pre-construction surveys confirm occupied desert kit fox presence, but no burrow, then the kit fox will be allowed to exit the site on its own accord. If an active burrow or den complex for kit fox is identified, then construction activities shall be immediately halted in the vicinity of the burrow/den, using a buffer determined by the qualified biologist, and the qualified biologist shall notify CDFW to develop avoidance, minimization, and mitigation measures for the burrow and the kit foxes that are present. No disturbance of active burrows/dens shall take place if juvenile kit fox are present and dependent on parental care, as determined by the Project biologist. **BR-5:** To avoid impacts to nesting birds, any grubbing, vegetation removal, or ground-disturbing activity should occur outside peak breeding season (typically February 1 through September 1) to the extent possible. Regardless of the time of year,	

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities, Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity. **BR-6:** A qualified biologist shall conduct an education program for all construction personnel involved in earth-moving activities within 30 days of ground disturbing activities. The program shall consist of a presentation that includes a discussion of the biology of the habitats and the species that may be present on the site. The qualified biologist shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species,	

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		penalties for violations, and mitigation measures. The Employee Education Program should include, but not be limited to (1) best practices for managing waste and reducing activities that can lead to increased occurrences of opportunistic species and the impacts these species can have on wildlife in the area; (2) protected species that have the potential to occur on the Project site including, but not limited to, burrowing owl, desert tortoise, desert kit fox, Le Conte's thrasher, Coachella Valley fringe-toed lizard, flat-tailed horned lizard, Palm Springs pocket mouse, and nesting birds; (3) the importance of ensuring that no refuse or pollution is left within work areas during Project activities. Interpretation shall be provided for any non-English speaking workers and the same instruction shall be provided for any new workers prior to their performing any work on the site. Workers will be notified to inform the Project biologist if there are any of the aforementioned biological resources observed within work areas that cannot leave on their own accord. The biologist will relocate species as permitted. Note that listed species can be moved only with prior approval by CDFW.	
	The proposed amphitheater use includes increased artificial lighting at night, which could affect nocturnal wildlife species and migratory birds that fly at night. The entire Specific Plan is subject to the City's requirements for outdoor lighting (Municipal Code 17.40.170) and glare (Municipal Code 17.40.140) These include specific requirements for shielding	**BR-7:** The following lighting standards shall be included in the Specific Plan's Design Standards:	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
	and filtering of outdoor lighting to "maintain ambient lighting levels as low as possible to enhance the City's community character and charm and maintain dark skies; provide for good visibility while maintaining minimum glare and spillage onto other properties or into the sky; and maintain safety, utility, security, and productivity while enhancing nighttime enjoyment of property and the night skies" and that "no glare incidental to any use shall be visible beyond any boundary line of the parcel." Chapter 8 of the Specific Plan's Design Guidelines contains additional site-specific requirements for exterior site lighting that remain in place with the Proposed Project, including specific lighting fixtures and intensities to ensure that City requirements are met. As part of the Proposed Project, lighting standards specific to the amphitheater use would be added to the Design Standards, which would ensure compliance with these standards and avoid light and glare spillover to adjacent properties.	• Using high-efficiency luminaries and bulbs, and maximizing user control, to minimize lighting energy demand ○ Lighting used to illuminate the amphitheater performance area must be either directed spotlighting or full cutoff lighting. If directed spotlighting is used, the light source must be located and designed such that it is not visible beyond property boundaries ○ Lighting used to illuminate the amphitheater performance area shall only be turned on during performances or rehearsals ○ Lighting used to illuminate the signage, seating areas, pathways and other areas of the amphitheater must meet all standards of the Specific Plan Design Guidelines and the City of Desert Hot Springs Municipal Code sections 17.40.140 and 17.40.170.	
Would the Project: • Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh,	The completed mass grading for installation of the Approved Specific Plan's infrastructure obtained a Streambed Alteration Agreement under Fish and Game Code Section 1602. Each cannabis project within the Specific Plan will be required to submit an application through CDFW's Environmental Permit Information Management System (EPIMS) and obtain either a letter stating that notification under Section 1602 is not required or that a Streambed Alteration Agreement is required for the cannabis project. Because the drainage along Indian Canyon Road is not within any area that would be disturbed by future cannabis development and the interior drainages and retention basins are not considered to be habitat, it is	**BR-8:** All requirements of the Specific Plan's Streambed Alteration Agreement, including the Habitat Mitigation and Monitoring Plan, shall be followed.	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
vernal pool coastal, etc.) through direct removal, filling, hydrological interruption, or any other means?	unlikely that future separate Streambed Alteration Agreements would be required for future cannabis projects. However, future cannabis projects would be required to comply with the conditions of the existing Streambed Alteration Agreement. The hotel, amphitheater, and parking lot/solar land uses that are proposed for Parcels 30, 31, and 25, respectively, would not be subject to the DCC reporting/application requirements. The proposed hotel, amphitheater, and parking lot/solar development would not affect the drainage along Indian Canyon Drive.		
Would the Project: • Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	Operational impacts to wildlife from collisions increased vehicle traffic to the Project Site and construction of the hotel (which is proposed to be 10 feet higher than currently allowed) would not occur because the Project Site is not within a significant wildlife movement area, biological corridor or linkage area between large blocks of undeveloped areas, according to the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Small scale solar facilities like those that could occur on Parcel 25 or on rooftop of the hotel buildings are not generally associated with bird deaths. Bird deaths from the "lake effect" where birds associate the glare from solar equipment with water is associated with large-scale utility sized solar farms or with solar thermal facilities, neither of which are proposed for the Proposed Project.	No mitigation is required.	LTS
CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES (note that Cultural Resources and Tribal Cultural Resources are analyzed in the Initial Study in Appendix A. The mitigation measures presented here were approved in 2017 as part of the Approved Specific Plan, are considered to be baseline, and are provided here for informational purposes.)			
Would the Project: • Cause a substantial adverse change in the significance of a historical	The Specific Plan Area was surveyed for cultural resources in 2005, 2008, 2016, and 2017. The 2017 survey was conducted by the Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office (ACBCI THPO). Based on	**CR-1:** If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the Applicant shall immediately notify the City Planner.	LTS

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
resource pursuant to CEQA Guidelines Section 15064.5? • Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	the minimal amount of resources discovered during monitoring of geotechnical trenches in January 2017 and the lack of surface resources from the previous cultural resources surveys, including the March 2017 ACBCI THPO survey, it was determined that the likelihood for buried resources is low. No additional resources were discovered during rough grading in summer/fall 2017. However, there is still precise grading required for the Proposed Project. Therefore, Mitigation Measure CR-1 would reduce impacts to unknown resources to a less-than-significant level.	A qualified archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center, 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.	
The 2018 update to the CEQA Guidelines moved the paleontology discussion to the Geology and Soils section of the Initial Study checklist. Paleontology mitigation measures CR-2 and CR-3 have been moved to the geology mitigation section and renumbered to reflect this change.			
Would the Project: • Disturb any human remains, including those interred outside of dedicated cemeteries	The Proposed Project would not be located in an area with known burials. Impacts would be less than significant with Mitigation Measure CR-4.	**CR-4:** In the event that any human remains are discovered, the Applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the Desert Hot Springs Police Department in accordance with California Health and Safety Code Section 7050.5, and the CEQA Guidelines Section 15064.5. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).	LTS
ENERGY			
Would the Project: • Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation?	The Proposed Project would use energy during construction of the Proposed Project related to use of construction equipment, deliveries, and construction worker trips.	No mitigation is required.	LTS
	During operation, the Proposed Project would use energy through employee and patron vehicles, building operations and maintenance activities.	No mitigation is required.	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
Would the Project: • Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	The Project Site is located in an area planned for development and would not interfere with, nor otherwise obstruct plans such as the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The ISTEA requires Metropolitan Planning Organizations to adopt policies defining the social, economic, energy, and environmental values guiding transportation decisions. The Proposed Project would comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by SCE and Southern California Gas Company. Additionally, the proposed solar carports on Parcel 25 would reduce the energy demand for the Proposed Project.	No mitigation is required.	LTS/Beneficial
GEOLOGY AND SOILS (note that Geology and Soils are analyzed in the Initial Study in Appendix A. The mitigation measures presented here were approved in 2017 as part of the Approved Specific Plan, are considered to be baseline, and are provided here for informational purposes.)			
Would the Project: • Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: o 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? o Strong seismic ground shaking?	An Alquist-Priolo Zone for the banning Branch of the San Andreas fault crosses Parcel 25. As shown in Figure 2-1 of the EIR, a fault setback zone has been established with the Approved Specific Plan, which will remain with the Proposed Project, resulting in a less-than-significant impact. The fault investigation report and geotechnical report prepared for the Approved Specific Plan discusses the requirements for site preparation and construction to account for seismic activity and ground subsidence. According to the site-specific geotechnical report prepared in 2017,the Project site is not in an area that is susceptible to landslide, lateral spreading, liquefaction, or collapse. Impacts would be less than significant with Measure GM-1.	**GM-1:** Design of structural foundations and definition of remedial grading recommendations shall follow the recommendations in the Earth Systems Southwest Geotechnical Engineering Feasibility Report Update (May 2016) or most recent site-specific geotechnical report.	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
○ Seismic-related ground failure, including liquefaction? ○ Landslides? • Result in substantial erosion or loss of topsoil? • Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			
Would the Project: • Directly or indirectly destroy a unique paleontological resource or unique geologic feature?	A paleontological resources evaluation was conducted on the stie in 2008 and updated in 2016 for the Approved Specific Plan. The Project site is not known to contain unique paleontological features. Additionally, there are no unique geological features located on the site. The soils on site are alluvial sands, which are recent deposits not conductive to the location of paleontological resources. However, older, deeper Pleistocene-age sediments and formations have a high potential for the presence of fossils. Impacts to buried fossils would be less than significant with Mitigation Measure GM-2 and GM-3. *Note that the paleontology analysis for the Approved Specific Plan was provided in the Cultural Resources section. However, this question moved to the Geology and Soils section in December 2018 after the State's revision of the Initial Study checklist. The mitigation measures have been renumbered to reflect this change.*	**GM-2 (formerly CR-2):** If grading plans show that project-related excavations go deeper than ten (10) feet, a qualified paleontological monitor shall be retained by the site developer(s) to check for fossils. Should construction/development activities uncover paleontological resources, work will be halted in that area and moved to other parts of the project site and the monitor shall determine the significance of these resources. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented as recommended by the monitor. **GM-3 (formerly CR-3).** All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other approved curation facility.	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
GREENHOUSE GAS EMISSIONS			
Would the Project: • Generate greenhouse gas emissions, either directly or indirectly, that would have a significant impact on the environment?	The Proposed Project's greenhouse gas emissions would be below the threshold of 3,000 metric tons of CO_2e per year. Project-level impacts are less than significant.	No mitigations are required.	LTS
	The greenhouse gas emissions of the Proposed Project, in combination with the other uses in the Specific Plan, would result in cumulative greenhouse gas emissions that would exceed the 3,000 metric tons of CO_2e for mixed uses and 10,000 metric tons of CO_2e for industrial uses. Most of these emissions are from patron vehicle use. Cumulative impacts are significant.	The Proposed Project and the Approved Specific Plan would comply with State and local requirements for greenhouse gas reductions and would incorporate project design features listed below to reduce energy-related emissions to the extent possible. However, greenhouse gas emissions from patron vehicle use cannot be regulated by the City of Desert Hot Springs. Therefore, additional mitigation is not feasible. Regulatory Compliance • Using low-flow fixtures that would reduce indoor water demand by 20 percent per CalGreen standards • Using water efficient irrigation systems • Implementing recycling programs that reduce waste to landfills by a minimum of 75 percent per AB 341 • Limiting re-application of architectural coatings to buildings to 50 grams per liter VOC content and traffic paints to 100 grams per liter VOC content per SCAQMD rule 1113 Project Design Features • Grey water will provide 100 percent of landscape irrigation water • Energy Star® appliances will be used • Energy efficient lighting will be used that is at least 34% more efficient than standard	S

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		• On-site wind and solar will provide approximately 40% of the total annual energy needs	
Would the Project: • conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	The Proposed Project would be consistent with the requirements of the City of Desert Hot Springs Climate Action Plan.	No mitigation measures are required.	LTS
NOISE			
Would the Project result in: • Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	The Proposed Project would result in short-term construction noise.	**NM-1:** During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site. **NM-2:** The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction. **NM-3:** The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction. **NM-4:** The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
	Operation of the Proposed Project would increase traffic, which would increase noise at off-site receptors. This increase would not be substantial at sensitive receptors and would be within the *normally acceptable* levels established by the City's General Plan.	No mitigation is required.	LTS
	Noise levels associated with future buildout traffic would range between 68 to 73 dBA CNEL at the western facade of the proposed hotel. The first floor of the west facing facade of the proposed hotel, including any ground-level outdoor uses, would be exposed to noise levels of 68 dBA CNEL, which falls within the Land Use and Noise Compatibility Guidelines *conditionally acceptable* category for hotel land uses (75 dBA CNEL). The proposed hotel would be required to comply with California Building Code Title 24, Part 2, Chapter 5; compliance with this existing regulation would ensure that interior noise levels would not exceed 45 dBA CNEL.	**NM-5:** Proposed hotel window/glass sliding glass doors directly facing Indian Canyon Drive should have a Sound Class Transmission rating of at least 25 in order to achieve interior noise levels no greater than 45 dBA CNEL from future traffic noise levels associated with North Indian Canyon Road. **NM-6:** Prior to construction, the project proponent shall provide evidence that all proposed buildings that may be occupied (except for factories, stadiums, storage, enclosed parking structures, and utility buildings) shall be constructed utilizing wall and roof-ceiling assemblies exposed to Indian Canyon Drive, shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 for all buildings that will house occupants that may be affected by the traffic noise, as required by the California Building Code (2019), Title 24, Part 2 Chapter 5 (Nonresidential Mandatory Measures).	LTS
	Operational noise associated with an amphitheater event, which would occur approximately 4 times per month, is expected to range between 53 and 65 dBA L_{eq} at adjacent commercial properties and project operational noise without an amphitheater event is expected to range between 50 and 62 dBA L_{eq} at adjacent commercial properties. Project operational noise levels with or without an amphitheater	No mitigation is required.	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
	would dissipate to ambient noise levels by the time it reaches existing residential land uses located over 2,000 feet northeast of the hotel and amphitheater.		
Would the Project result in: • Generation of excessive groundborne vibration or groundborne noise levels?	Architectural damage to normal dwellings as a result of vibration could occur at 0.2 PPV. As stated above groundborne vibration levels associated with the Project are not expected to exceed 0.036 PPV at the nearest structure. The Proposed Project is not expected to result in architectural damage.	No mitigation is required.	LTS
TRANSPORTATION			
Would the Project: • Conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?	The daily VMT for the County of Riverside region is estimated to decrease by approximately 25,944 daily VMT with the Proposed Project. This is because Riverside County guidance focuses on the typical weekday and the RIVTAM VMT model does not include a weekend model because most regional VMT occurs during the week. Because events at the amphitheater would occur mostly on weekends, the typical VMT scenario for weekdays analyzed the hotel at full capacity (175 rooms) and 10 permanent amphitheater employees. Because amphitheater events are planned to occur four times per month, or approximately once per week, the Proposed Project is forecast to result in a reduction of 155,664 VMT over six non-event days per week (6 days x 25,944 daily VMT reduction). Based on 2,500 trips per day forecasted for the amphitheater on event days, the average trip length for amphitheater-generated trips would need to exceed 62 miles in order for the event day VMT to outweigh the weekly VMT savings on non-event days. Based on VMT analysis for a comparable proposed arena venue in the Coachella Valley, approximately 86 percent of concert-related trips are forecast to originate within 62 miles and approximately 58 percent of concert-related trips are forecast to originate within 20 miles.	No mitigation is required.	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
	Therefore, the average trip length associated with the proposed amphitheater on event days is expected to be well below 62 miles. Without accounting for internal capture reductions between the hotel and the amphitheater that would further reduce VMT (amphitheater patrons may choose to stay at the hotel and walk to the amphitheater), the addition of VMT associated with the amphitheater on event days occurring once per week to the weekday non-event day VMT occurring six days per week is still expected to result in a net decrease VMT. Therefore, the Proposed Project, including consideration of event day/weekend VMT, is forecast to result in no significant VMT impact based on the County-established thresholds and a net decrease in the total VMT for the region. No mitigation is necessary.		
Would the Project: • Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? • Substantially increase hazards due to a geometric design or feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? • Result in inadequate emergency access?	The Proposed Project would generate traffic during construction that would affect intersection capacity.	No mitigation is required.	LTS
	The Proposed Project would generate traffic during operation, in particular, during amphitheater events, which would affect intersection capacity.	**TM-1:** The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the significantly impacted intersections for Existing Plus Project conditions, without and with Amphitheater Event: • Indian Canyon Drive/Dillon Road – Intersection 2 o Install traffic signal (signal warrant currently satisfied under Existing conditions) o Provide northbound left turn lane o Provide southbound left turn lane o Provide eastbound left turn lane o Provide westbound left turn lane • Little Morongo Road/Dillon Road – Intersection 14 o Install traffic signal (signal warrant currently satisfied under Existing conditions)	LTS

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		TM-2: The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the significantly impacted intersections for Existing Plus Project conditions, without and with Amphitheater Event: • Indian Canyon Drive/18th Avenue – Intersection 3 o Install westbound stop sign o Provide northbound right turn lane o Provide southbound left turn lane o Restrict westbound left turn and provide westbound right turn lane • Project Driveway/18th Avenue – Intersection 4 o Install northbound stop sign o Provide northbound left/right turn lane o Provide eastbound through/right lane o Provide westbound left/through lane • Indian Canyon Drive/Project Driveway – Intersection 5 o Install traffic signal (signal warrant currently satisfied under Existing Plus Project Without Amphitheater Event conditions) o Provide southbound left turn lane o Provide westbound left/right turn lane • Indian Canyon Drive/19th Avenue – Intersection 6 o Install westbound stop sign o Provide southbound left turn lane o Restrict eastbound and westbound left turn and provide westbound right turn lane o Provide a second northbound/eastbound through lane o Provide manual traffic control during amphitheater events • Project Driveway/19th Avenue – Intersection 15 o Install southbound stop sign	

	Table S-1. Summary of Environmental Impacts and Mitigation Measures		
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		○ Provide southbound left/right turn lane ○ Provide eastbound left/through lane ○ Provide westbound through/right lane ○ Provide manual traffic control during amphitheater events • Indian Canyon Drive/Parcel 30 Driveway – Intersection 16 ○ Install westbound stop sign ○ Provide westbound right turn lane • Indian Canyon Drive/Parcel 31 Driveway – Intersection 17 ○ Install westbound stop sign ○ Provide westbound right turn lane ○ Provide manual traffic control during amphitheater events **TM-3:** The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the deficient intersections for Opening Year (2023) With Project conditions, without and with Amphitheater Event: • Indian Canyon Drive/Pierson Boulevard – Intersection 1 ○ Install traffic signal (signal warrant currently satisfied under Existing conditions) ○ Provide northbound left turn lane ○ Provide southbound left turn lane ○ Provide eastbound left turn lane ○ Provide westbound left turn lane • Indian Canyon Drive/Dillon Road – Intersection 2 ○ Install traffic signal (signal warrant currently satisfied under Existing conditions) ○ Provide northbound left turn lane ○ Provide southbound left turn lane	

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		○ Provide eastbound left turn lane ○ Provide two westbound left turn lanes ○ Provide northbound right-turn overlap phasing • Indian Canyon Drive/19th Avenue – Intersection 6 ○ Provide a second northbound through lane ○ Provide a second southbound through lane • Little Morongo Road/Dillon Road – Intersection 14 ○ Install traffic signal (signal warrant currently satisfied under Existing conditions) ○ Provide northbound left turn lane ○ Provide southbound left turn lane ○ Provide southbound right turn lane with overlap phasing ○ Provide a second eastbound left turn lane ○ Provide westbound right turn lane with overlap phasing ○ Provide manual traffic control during events **TM-4:** The project shall contribute towards the identified off-site improvements (TM-1 through TM-3) on a fair share basis through payment of the adopted City of Desert Hot Springs Development Impact Fee program. **TM-5:** Manual traffic control shall be provided to facilitate the temporary surge in circulation and parking demand during an amphitheater event at the following intersections: • Indian Canyon Drive/19th Avenue – Intersection 6 • Little Morongo Road/Dillon Road – Intersection 14 • Project Driveway/19th Avenue – Intersection 15 • Indian Canyon Drive at Parcel 31 Driveway – Intersection 17	

Table S-1. Summary of Environmental Impacts and Mitigation Measures			
Threshold	**Environmental Impacts**	**Mitigation Measures**	**Residual Impact (with Mitigation)***
		TM-6: Construct 18th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements. **TM-7:** Construct 19th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements **TM-8:** Calle de los Romos along the project boundary shall be constructed at its ultimate half-section width, including landscaping and parkway improvements. **TM-9:** Indian Canyon Drive along the project boundary should be constructed at its ultimate half-section width as an Urban Arterial (134-foot right-of-way) as identified on the City of Desert Hot Springs General Plan Roadway Classifications Map.	

Note: LTS = Less than Significant. S= Significant

1 INTRODUCTION

1.1 Purpose

This Draft Environmental Impact Report (DEIR) identifies and evaluates the potential environmental impacts associated with the implementation of the Amendment to the Specific Plan DHS SP #01-17 (Proposed Project). Specific Plan DHS SP #01-17, also known as the Coachillin' Specific Plan, was approved by the City of Desert Hot Springs (City) in November 2017.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that informs agency decision makers and the general public of the potentially significant environmental impacts of a project, identifies ways to minimize the significant impacts, and describes a reasonable range of alternatives to the project. CEQA requires that an EIR be prepared by the agency with primary responsibility over the approval of a project (the Lead Agency). The Lead Agency, the City of Desert Hot Springs, has prepared this DEIR in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et. seq.) and the Guidelines for the Implementation of CEQA (California Code of Regulations, Title 14, Sections 15000 et seq.).

This DEIR is intended to provide information to the City other public agencies, and the general public regarding the potential direct, indirect, and cumulative environmental impacts associated with the Proposed Project. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development, where feasible, and are obligated to balance a variety of public objectives including economic, environmental, and social factors in their decision-making. The City has determined that an EIR is the appropriate CEQA documentation due to the potential for significant environmental impacts that could result from approval of the requested actions and development of the Proposed Project. This Draft EIR evaluates the existing environmental conditions in the area, analyzes potential environmental impacts due to the implementation of the Project, and identifies feasible mitigation measures that could avoid or reduce the magnitude of those impacts. CEQA requires a Lead Agency neither approve nor implement a project unless significant environmental impacts have been reduced, or, if a Lead Agency approves the project even though significant impacts identified in the DEIR cannot be fully mitigated, the Lead Agency must state in writing the reasons for its action by adopting Findings and a Statement of Overriding Considerations (CEQA Guidelines Section 15091).

Other public agencies may use this DEIR to issue approvals and permits related to the Proposed Project. The types of actions that these agencies, as well as other agencies not included on this list, may take in connection with the Proposed Project include, but may not be limited to the following:

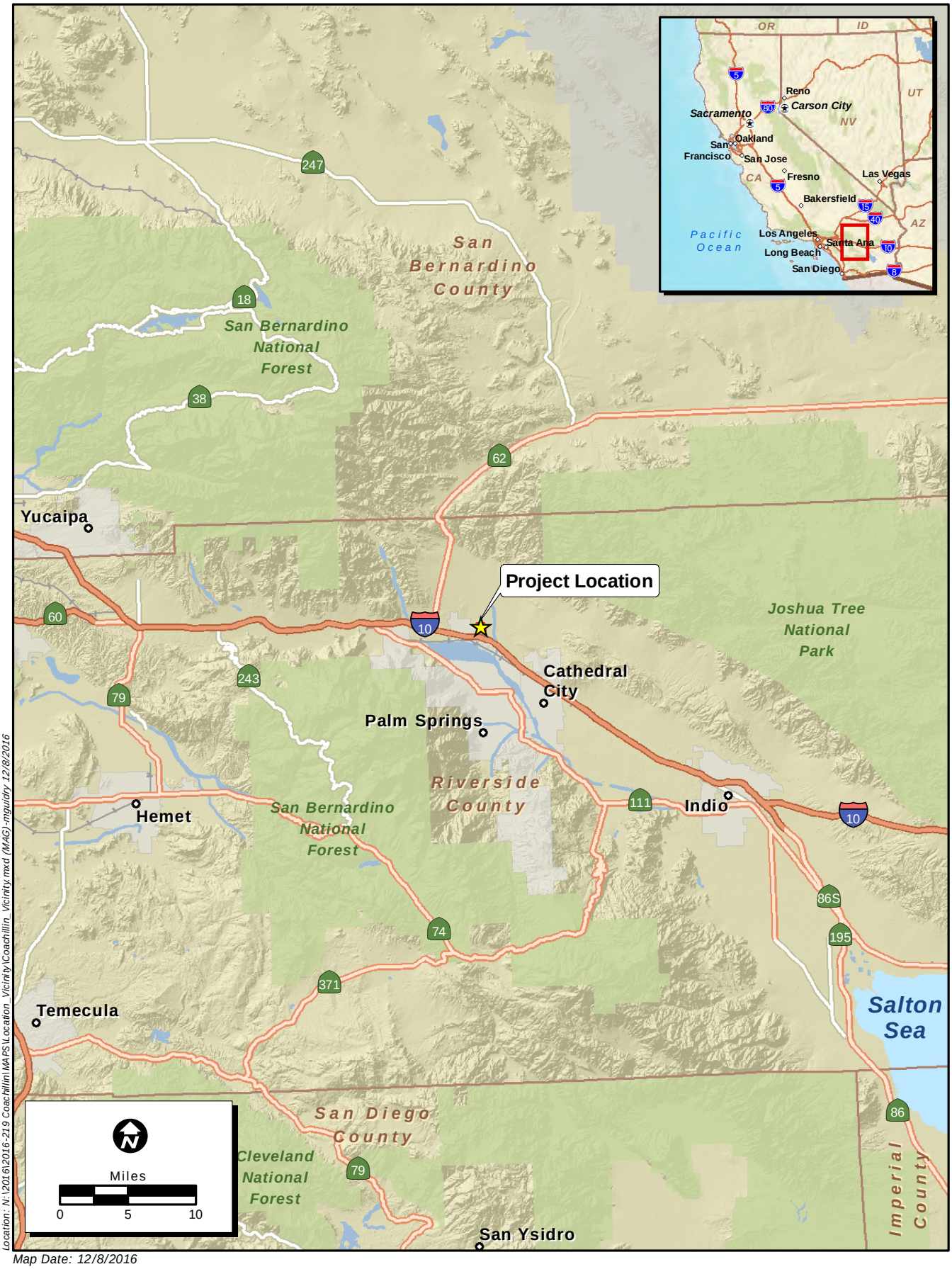
- Approve, adopt, or amend applicable plans, policies, or programs
- Make findings of consistency
- Approve and issue permits
- Approve agreements
- Provide authorization and approval of funding
- Provide service

1.2 Background/Project History

The Coachillin' Industrial Cultivation and Ancillary Canna-Business Park (Specific Plan #01-17) (Coachillin' Specific Plan) is located on parcels APNs 666-340-008 through 666-340-055 located on 153.71 gross acres bounded by 18th Avenue to the north, 19th Avenue to the south, Indian Canyon Drive to the west, and Calle de los Romos to the east (Figure 1-1 and Figure 1-2). Until 2010, these parcels were under the land use authority of Riverside County (County). In 2008, an industrial development of approximately 2,952,000 square feet (sf) of warehousing on approximately 161 gross acres was approved by the County. That project consisted of a Change of Zone (Change of Zone No.7597) from W-2 (Controlled Development) to I-P (Industrial Park) and M-SC (Manufacturing Service Commercial), a Plot Plan approval (Plot Plan No. 23155) for a 2,952,500-sf industrial center including a one-mile offsite sewer line extension, and a Mitigated Negative Declaration (MND) (State Clearinghouse Number 2008081058). The parcels were annexed to the City of Desert Hot Springs in 2010 and the County approvals were adopted for the project site in the Development Permit process (DP 05-11 and EA 41621).

In 2017, the project applicant proposed changes to the County-approved project to reflect changing market conditions. A Specific Plan was submitted to the City, which was adopted on October 17, 2017. The approval of the Specific Plan included the following approvals: General Plan Amendment #02-17, Specific Plan #01-17, Tentative Parcel Map #37158, Final Map, and Conditional Use Permit #17-17. These project approvals included an MND Addendum supported by an Initial Study and updated technical studies for air quality, biological resources, wetland delineation, cultural resources, paleontological resources, geotechnical/geologic resources, greenhouse gas emissions, hazards/hazardous materials, hydrology and water quality, noise, water supply assessment, and traffic impact analysis. The Initial Study described the environmental impacts of the Specific Plan and compared them to the impacts of the project previously approved by the County. The Initial Study determined that the environmental impacts were similar to or less than for the previously-approved industrial project and were less than significant after mitigation. In particular, the impacts related to truck traffic were fewer because the cannabis uses proposed for the Specific Plan require fewer trucks than a warehouse use. All impacts identified in the MND Addendum were less than significant or less than significant with mitigation. Therefore, an Addendum to the original MND was prepared and adopted on October 17, 2017 along with other project approvals. As part of the Addendum, a mitigation monitoring and reporting plan was prepared, which included new mitigation measures that were updated to reflect the Specific Plan and new legal and regulatory requirements. These mitigation measures replaced those mitigations from the County's MND. The project approvals listed above are referred to in this EIR as the **Approved Specific Plan**.

The project applicant has submitted an application for an Amendment to the Specific Plan that would modify the allowed land uses in the Specific Plan Mixed Use Zone along with accompanying changes in the Development Standards and Design Guidelines to allow potential hotel and amphitheater uses on Parcels 30 and 31, respectively and parking on Parcel 25 (referred to in this EIR as the **Proposed Project**). These changes are further described in Chapter 2 of this document.



Location: N:\2016\2016-219 Coachillin\MAPS\Location_Vicinity\Coachillin_Vicinity.mxd (MAG) -mguidry 12/8/2016

Map Date: 12/8/2016

Service Layer Credits: Sources: USGS, ESRI, TANA, AND

Figure 1-1. Project Vicinity

2016-219 Coachillin

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Map Date: 10/25/2019

Figure 1-2. Project Location

2016-219 Coachillin

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1.3 Environmental Review Process

1.3.1 Scoping

1.3.1.1 Summary of Scoping

In accordance with the CEQA Guidelines, the City, as Lead Agency, prepared an Initial Study and NOP for an EIR on the Proposed Project. A copy of the Initial Study and NOP are provided in Appendix A. The City distributed the Initial Study and NOP for review and comment to the State Clearinghouse, Riverside County Clerk, and interested parties for a 33-day comment period from August 5, 2021 to September 7, 2021. Letters received during the scoping period are also provided in Appendix A.

The City received three letters during the scoping period from the California Department of Fish and Wildlife, Native American Heritage Commission, and Mitchell M. Tsai on behalf of the Southwest Regional Council of Carpenters. On September 1, 2021, the City and the Applicant held a meeting with the CDFW to clarify the comments in their scoping letter. CDFW's comments were concerned with the potential for sensitive wildlife species to enter the site during construction, the potential effects of increased night lighting at the amphitheater on biological resources, and for the potential for the drainage adjacent to Indian Canyon Drive to be affected by development activity. CDFW also noted that future cannabis projects within the Specific Plan are subject to a license from the State Department of Cannabis Control, and that this license requires compliance with Fish and Game Code Section 1602. These comments are addressed in Section 3.3, Biological Resources.

The letter received from Mitchell S. Tsai on behalf of the Southwest Regional Council of Carpenters had the following recommendations:

- a request to the City to provide additional community benefits such are requiring local hire, the use of workers who have graduated from a Joint Labor Management Apprenticeship training program, and the adoption of a City-wide Skilled Labor Force policy. The letter notes that a local hire requirement for workers that reside within 10 miles of the Project Site can reduce vendor trips and greenhouse gas emissions and provide localized economic benefits. The Proposed Project's greenhouse gas emissions are described in Section 3.5.3. These emissions were calculated using the CalEEMod model, as described in the comment. Greenhouse gas emissions were determined to be less than significant. City acknowledges that shorter worker trips would reduce emissions of greenhouse gases related to construction; however, a significant impact has not been identified for construction greenhouse gas emissions and no mitigation is warranted. The adoption of a City-wide Skilled Labor Force policy is outside the scope of the Proposed Project and this EIR.
- A recommendation that the EIR include additional mitigation measures to mitigate public health risks during construction from the community spread of COVID-19. The comment asserts that public health risks to construction workers related to COVID-19 warrants a mandatory finding of significance. As defined in CEQA case law, the CEQA statute, and the CEQA Guidelines, CEQA documents must evaluate and disclose a project's impact on the environment, not the environment's impact on a project (*California Building Industry Association [CBIA] v. Bay Area Air*

Quality Management District [BAAQMD] [Case No. S213478] and also Public Resources Code Division 13, Section 21060.5 and CEQA Guidelines Section 15360). Potential health impacts on construction workers from COVID-19 are not an effect of the Proposed Project on the environment. Workplace safety requirements are not a CEQA issue that should be evaluated in the EIR.

The letter from the Native American Heritage Commission stated that the Project is subject to requirements for Native American consultation under both AB 52 and SB 18. The City sent AB 52 and SB 18 notification letters to the following Native American tribes on October 19, 2021: Agua Caliente Band of Cahuilla Indians, Augustine Band of Cahuilla Mission Indians, Cabazon Band of Mission Indians, Cahuilla Band of Indians Los Coyotes Band of Cahuilla and Cupeno Indians, Morongo Band of Mission Indians, Quechan Tribe of the Fort Yuma Reservation, Ramona Band of Cahuilla Indians, San Manuel Band of Mission Indians, Santa Rosa Band of Cahuilla Indians, Serrano Nation of Mission Indians, Soboba Band of Luiseno Indians, Torres Martinez Desert Cahuilla Indians, and Twenty-Nine Palms Band of Mission Indians. The tribes had 30 days to request consultation under AB 32 and 90 days to request consultation under SB 18. On October 28, 2021, the City received an email from Jamie Nord of the San Manuel Band of Mission Indians stating that the Proposed Project is located outside of Serrano ancestral territory and that, as such, the San Manuel Band of Mission Indians will not request consultation or participate in the scoping, development or review of documents regarding the Proposed Project. On November 19, the City received a letter from the Agua Caliente Band of Cahuilla Indians requesting copies of any cultural resource documentation (report and site records) generated in connection with this Project. On March 7, 2022, the City received a letter from the Morongo Band of Mission Indians requesting additional government-to-government consultation under AB 32. No other responses were received.

1.3.1.2 Scope of the Environmental Impact Report

Under the CEQA Guidelines, the analysis in an EIR may be focused on issues determined in the Initial Study to be potentially significant, whereas issues found to have no impact or a less than significant impact do not require further evaluation (CEQA Guidelines Section 15063(c)(3)). The Initial Study and the comments received during the scoping period determined that the Proposed Project could have significant effects to air quality, biological resources, energy, greenhouse gas emissions, noise, and transportation. Effects to these environmental resources have been evaluated in the EIR. The Initial Study and comments received during the scoping period determined that the effects on other resources from the Proposed Project, including aesthetics, agriculture and forestry resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, population/housing, public services, recreation, tribal cultural resources, utilities/service systems, and wildfire would not be potentially significant and did not warrant further review in the EIR. The Initial Study and the discussion of these environmental resources not further discussed in the EIR is provided in Appendix A.

1.3.2 Draft Environmental Impact Report

The City is distributing this DEIR for review and comment to the same public agencies and interested groups and individuals as the Initial Study and NOP, in addition to any others that have requested to be on the project mailing list. The DEIR is also available for review at the City of Desert Hot Springs Community Development Department 11-999 Palm Drive, Desert Hot Springs, CA 92240.

Agencies, organizations, and individuals are invited to comment on the information presented in the DEIR during the 45-day comment period from April 13, 2022 to May 28, 2022. Specifically, comments are requested on the scope and adequacy of the environmental analysis presented in the DEIR. All comments on the DEIR should be sent to the following City contact:

Patricia Villagomez, Associate Planner
11-999 Palm Drive
Desert Hot Springs, CA 92240
pvillagomez@cityofdhs.org

Following the 45-day public review period, the City will prepare responses to all comments and will compile these comments and responses into a Final EIR. The City will consider the information in the Draft and Final EIR when making a decision to approve or deny the Proposed Project. The City will need to certify the Final EIR as complete prior to making a decision to approve or deny the Proposed Project.

1.4 Documents Incorporated by Reference

The following documents have been incorporated by reference:

- City of Desert Hot Springs, *Initial Study and Mitigated Negative Declaration Addendum for the Coachillin' Industrial Cultivation and Canna-Business Park*. September 2017
- County of Riverside, *Environmental Assessment Form: Initial Study and Mitigated Negative Declaration for Change of Zone No. 7597 and Plot Plan No 23155.* State Clearinghouse Number 2008081058. November 2008

These documents are available for review at the City of Desert Hot Springs by contacting the City contact listed in Section 1.3.

2 PROJECT DESCRIPTION

2.1 Project Location

The Coachillin' Industrial Cultivation and Ancillary Canna-Business Park (Specific Plan #01-17) is located on 46 parcels (Assessor's Parcel Numbers [APNs] 666-340-008 through 666-340-055) located on 153.71 gross acres bounded by 18th Avenue to the north, 19th Avenue to the south, Indian Canyon Drive to the west, and Calle de los Romos to the east (Figures 1-1 and 1-2).

2.2 Project Objectives

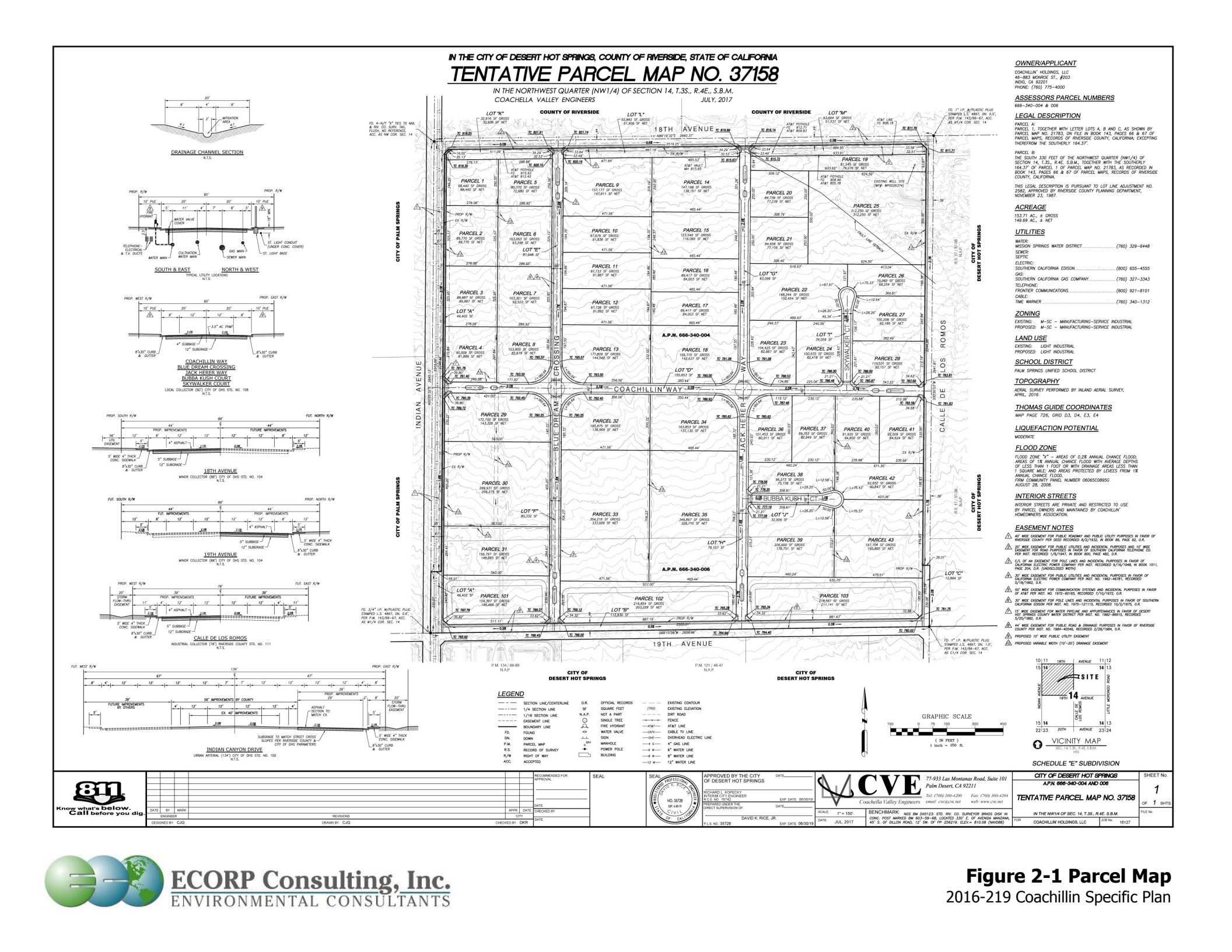
The objectives of the Specific Plan Amendment are the same as for the approved Specific Plan and are listed below for convenience:

- Provide the framework and guidelines for the creative development of an innovative industrial and business park in the City of Desert Hot Springs
- Enhance the City's objectives of attracting and developing a range of new business, uses, and activities geared toward jobs, taxes, and visitors that will contribute to the community's economic base and financial stability.
- Assure that public facilities are adequately provided in an efficient, sustainable, and timely manner in cooperation with local and regional purveyors.
- Integrate programs using the latest techniques and strategies for energy conservation and allow for the implementation of alternative energy systems. Exceed Title 24 energy conservation objectives.

2.3 Project Description

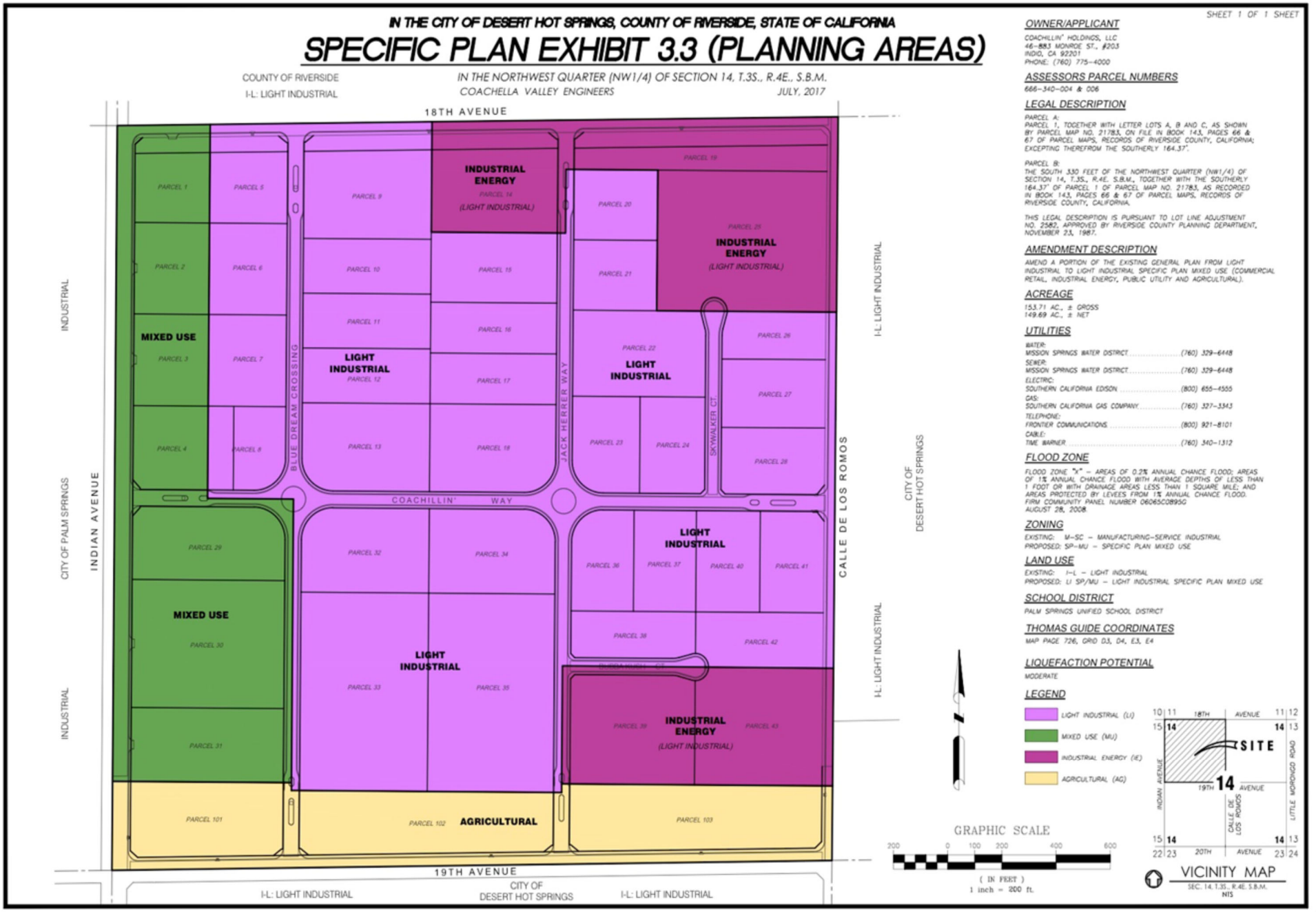
The Proposed Project is an Amendment to Specific Plan DHS SP #01-17 that would modify the allowed land uses in the Specific Plan Mixed Use Zone along with accompanying changes in the Development Standards and Design Guidelines to allow potential hotel and amphitheater uses on Parcels 30 and 31, respectively (Figures 2-1 and 2-2). The proposed hotel would include 175 guest rooms within a 4-story,150,000 square foot building. The proposed amphitheater would seat approximately 5,000 people and host a maximum of four concerts or special events per month. Each concert would require a Special Use Permit from the City. The Special Events Permit requires review by the City and a fee that covers City services, including designated costs for police and fire services.

Planning Areas (Figure 2-3) would remain the same as currently approved. However, the proposal would allow additional uses in the Mixed-Use designation. Additionally, the 7-acre Parcel 25 was originally provided for Southern California Edison (SCE) power stations and systems to serve the Specific Plan projects. SCE has stated that they will serve the Specific Plan from its existing Garnet substation and no longer requires this lot; therefore, the Amendment proposes to re-designate Parcel 25 as Industrial Energy & Utilities (IE).



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Figure 2-1 Parcel Map
2016-219 Coachillin Specific Plan



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Figure 2-2 Planning Areas
2016-219 Coachillin Specific Plan

Please note that this project description summarizes the major changes to the Specific Plan. Proposed changes to text that merely correct typographic errors, clarify uses that are allowed with the Approved Specific Plan, or clarify City processes are not included in this chapter. The complete version of the Proposed Amended Specific Plan is available for review at the City of Desert Hot Springs Planning Department at 11-999 Palm Drive, Desert Hot Springs, CA 92240 and is incorporated by reference.

2.3.1 Summary of Changes to the Specific Plan

Appendix B provides the proposed text changes to the Specific Plan, which are summarized below.

The general description of allowed uses in the *Mixed Use Zoning and Amenities* Section of the Specific Plan Section 1.1 *Project Summary* and Specific Plan Section 3.1 *The Industrial Mixed-Use Business Park Concept* to reflect that a Hotel Resort and Amphitheater are proposed in the Mixed Use Zone and that a 420-space parking lot with wind and solar uses is proposed for Parcel 25, which was formally the site of the SCE substation. The description of the Mixed Use Zone in Specific Plan Section 3.1.1 *Land Use by Planning Area* has been updated to add the Hotel Resort (Parcel 30) and Amphitheater (Parcel 31) land uses as well as re-designating Parcel 25 as Industrial Energy & Utilities. Table 3-3 *Coachillin' Proposed Allowed Land Uses* and Specific Plan Section 3.2.1 *Existing and Proposed General Plan Land Use* have also been updated to reflect the hotel resort, amphitheater, and new Industrial Energy and Utilities designation for Parcel 25.

A number of definitions for allowed land uses have been added to Section 3.4.3 *Allowable Land Uses and Permit Requirements* of the Specific Plan to more closely match the City's zoning code. The *Allowable Land Uses* discussion and table (Table 3-4 in the Specific Plan) has been updated to reflect the elimination of the Public Utilities (PU) zone, because SCE will no longer be constructing a substation on Parcel 25. Table 3-4 also adds hotel land uses as an allowed land use in the Mixed-Use zone. At the suggestion of the City, the *Allowed Uses Requiring a Development Plan (D)* category has been eliminated to simplify the planning process. There is no need for a development permit for uses that are compatible with an adopted Specific Plan; this process is covered in the *Permitted Uses* category.

The Appendix to the Specific Plan (Section 10 of the Specific Plan) has been updated to add Section 10.9 *Special Events Management and Planning Considerations*.

2.3.2 Update to Development Standards

The development standards (Specific Plan Table 3-5 and Figure 3-4) have been updated to reflect a new structure height maximum limit for Parcel 30. The structure height for Parcel 30 is proposed to be 65 feet maximum, which is 10 feet higher than the approved 55-foot limit. The maximum height for interior parcels remains at 65 feet. The maximum height for all other parcels adjacent to Indian Canyon Drive, 18th Avenue, 19th Avenue, and Calle De los Romos remain 55 feet; however, the 2-story maximum has been removed. All parcels remain subject to the Design Guidelines. Although the Specific Plan development standards supercede the City's zoning requirements for Light Industrial land uses (the previous zoning for the Specific Plan Area, including Parcels 25, 30, and 31), the City's development Code for the Light Industrial (I-L) zone allows maximum structure heights of 5 stories or 120 feet (City of Desert Hot Springs Municipal Code Section 17.16.030, Industrial Zone Development Standards Table 17.16.01).

2.3.3 Update to Design Guidelines

Section 8.6 *Performance and Amphitheater Lighting* has been added to the Requirements for amphitheater lighting have been added to the Design Guidelines.

2.3.4 Project Scenarios for Analysis

The applicant is proposing to modify the land uses on Parcels 30 and 31 to allow a hotel and amphitheater land use and Parcel 25 to allow other uses because SCE has determined the parcel is no longer needed for a substation. Previously, cannabis cultivation uses were analyzed for Parcels 30 and 31 and an unmanned SCE substation was analyzed for Parcel 25. For analysis purposes, a preliminary development scenario has been developed that includes buildout of the parcels. In this worst-case development scenario, Parcel 30 would include a four-story, 175-room, 150,000-gross-square-foot hotel, and Parcel 31 would include a 5,000-seat amphitheater with ten full-time employees and up to 100 temporary employees on event days. After construction, project analysis has assumed a maximum of an average of four concerts or special events in the amphitheater per month. Because Parcel 25 is no longer needed for an electrical substation, a 420-space parking lot with solar covered parking is proposed. Project construction for all elements is anticipated to take one year, opening in 2023 or 2024.

2.4 Existing Setting/Project Baseline

2.4.1 Existing Site Conditions

The environmental setting for this EIR is 2021, because the Notice of Preparation was published on August 4, 2021. CEQA Guidelines Section 15125 states that the environmental setting is the physical environmental conditions as they exist at the time the Notice of Preparation is published. The environmental setting constitutes the baseline physical conditions by which a lead agency determines whether an impact is significant.

Since the approval of the Specific Plan in 2017, site work has been initiated to support the development of the Approved Specific Plan. Parcels 25, 30 and 31 (Figure 2-1) have been rough graded. This approved work is considered part of the baseline for environmental analysis for the Proposed Project.

As of August 2021, site work included the following:

- Grading
    - Rough grading on all 160 acres: 100% complete
    - Precise grading on Parcels 10, 11, 12, 14, 19, 28, 32, 33: 100% complete
    - Certified rough graded pads on all parcels
- Perimeter:
    - Perimeter 8-foot fence and gate installation: 100% complete
    - Perimeter landscape and irrigation installation: 80% complete
    - Perimeter sidewalks installed around entire perimeter of project: 100% complete
- Stormwater:
    - Volume reduction basins and retention basins: 100% complete
    - Regional stormwater channels: 100% complete

    - Onsite stormwater handling: basins expanded; channels enlarged to handle stormwater generated from onsite building construction
- Power:
    - West half of the project conduit installation and Southern California Edison power lines: 100% complete
    - East half of the conduit installation: 80% complete
    - East-half Southern California Edison Power lines: not yet initiated; $1.2 million developer fee paid in full
- Water:
    - Domestic water lines (Mission Springs Water District): complete and stubbed to each parcel: 100% complete
    - Coachillin' Reverse Osmosis water lines stubbed to each parcel: 100% complete
    - Coachillin' Agriculture water lines: stubbed to each parcel: 100% complete
- Gas:
    - Gas main and HP line booster station installation: 100% complete
    - Gas lines stubbed to each parcel: 100% complete
- Sewer:
    - Offsite septic system installation: 100% complete and operational
    - 6-inch sewer lines stubbed to each parcel: 100% complete
- Dust (PM_{10}) Control:
    - Dust control (EnviroTak) disbursed annually to each property not under construction to mitigate dust
    - Water trucks running daily on the site to mitigate dust caused by construction and equipment
- Onsite Street Improvements:
    - All interior curbs and gutters: 100% complete
    - Interior roads precise graded: 100% complete
    - Interior roads paving: 35% complete
- Offsite Street Improvements:
    - Street widening: 100% complete
    - All exterior curbs: 100% complete
    - New traffic signal at Indian Canyon Drive and Specific Plan driveway: 90% complete
    - Street paving: 40% complete
- Fire Loops:
    - Parcel 32/33 Fire Loop: 100% complete
    - Parcels 10-12 Fire Loop: 100% complete
    - Parcels 9 and 13: stubbed and ready for future use

Representative photographs of the site are provided on the following page.



Photo 1 View Looking Northeast at 19th Avenue and Indian Canyon Drive Intersection. Parcels 101, 31, and 30 in Foreground (right to left). Rough Grading Completed (November 2020)



Photo 2 View Looking North from 19th Avenue (August 2021)

2.4.2 Environmental Commitments/Mitigation Measures

The following mitigation measures were adopted with the Approved Specific Plan and are considered part of the baseline for the Proposed Project. As part of the 2017 Addendum, a mitigation monitoring and reporting plan was prepared, which included new mitigation measures that were updated to reflect the City's requirements and new regulatory requirements from other agencies. These mitigation measures replaced those mitigations from the County's MND. The analysis in this EIR assumes implementation of these mitigation measures as part of the baseline. The analysis in this EIR may include additional or revised mitigation measures.

AQ-1: Architectural coatings applied to project buildings are to be limited to 50 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AQ-2: The project applicant shall ensure that all applicable SCAQMD Rules and Regulations are complied with during construction and the construction contractor use construction equipment that have Tier 3 or better engines for any on-site construction.

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

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

BR-3: If construction or other ground-disturbing activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The survey shall be completed no more than 14 days prior to initial ground disturbance. The nesting bird survey shall include the project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.

CR-1. If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the Applicant shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center, 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.

The 2018 update to the CEQA Guidelines moved the paleontology discussion to the Geology and Soils section of the Initial Study checklist. Paleontology mitigation measures CR-2 and CR-3 have been moved to the geology mitigation section and renumbered to reflect this change.

CR-4. In the event that any human remains are discovered, the Applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the Desert Hot Springs Police Department in accordance with California Health and Safety Code Section 7050.5, and the CEQA Guidelines Section 15064.5. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).

GM-1: Design of structural foundations and definition of remedial grading recommendations shall follow the recommendations in the Earth Systems Southwest Geotechnical Engineering Feasibility Report Update (May 2016) or most recent site-specific geotechnical report.

GM-2 (formerly CR-2): If grading plans show that project-related excavations go deeper than ten (10) feet, a qualified paleontological monitor shall be retained by the site developer(s) to check for fossils. Should construction/development activities uncover paleontological resources, work will be halted in that area and moved to other parts of the project site and the monitor shall determine the significance of these resources. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented as recommended by the monitor.

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

NM-1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NM-2: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

NM-3: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

NM-4: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

TM-1: The following off site intersection improvements shall be constructed to address the project traffic impact at the following study area intersections for the Existing Plus Project (2017) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)

- Provide a northbound right turn lane
- Provide a second southbound through lane

- Indian Canyon Drive (NS) at 19th Avenue (EW)
  - Install a westbound stop sign and a right turn only lane
  - Provide a southbound left turn lane
  - Provide a westbound right turn lane
  - Restrict eastbound and westbound left turn movements.

TM-2: The following off site intersection improvements shall be constructed to mitigate the Existing Plus Ambient Plus Project (2023) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Convert the northbound right turn lane to a second northbound through lane
- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Restrict eastbound left turn movements

TM-3: The following site intersection improvements shall be constructed to mitigate the Existing Plus Ambient Plus Cumulative Plus Project (2023) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Install a traffic signal

TM-4: The project shall contribute towards the identified cumulative mitigation measure improvements on a fair share basis through payment of the adopted City of Desert Hot Springs Development Impact Fee program. The project's fair share percentage at the intersection of Indian Canyon Road and Dillon Boulevard is approximately 10 percent.

TM-5: The following on-site intersection improvements shall be constructed:

- Indian Canyon Drive (NS) at 18th Avenue (EW)
  - Install a westbound stop sign and a right-turn only sign
  - Provide a westbound right-turn only lane
  - Provide a northbound right-turn only lane
  - Provide a southbound left turn lane
- Project Driveway (NS) at 18th Avenue (EW)
  - Install a northbound stop sign
  - Provide a northbound left-right lane
  - Provide an eastbound through-right lane
  - Prove a westbound left-through lane
- Indian Canyon Drive (NS) at Project Driveway (EW)
  - Install a traffic signal

- Provide a second northbound through lane
- Provide a southbound left turn lane
- Provide a westbound left turn lane
- Provide a westbound right turn lane

TM-6: Construct 18th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements.

TM-7: Construct 19th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements

TM-8: Calle De Los Romos along the project boundary shall be constructed at its ultimate half-section width, including landscaping and parkway improvements.

TM-9: Indian Canyon Drive along the project boundary should be constructed at its ultimate half-section width as an Urban Arterial (134-foot right-of-way) as identified on the City of Desert Hot Springs General Plan Roadway Classifications Map.

3 ENVIRONMENTAL REVIEW

3.1 Introduction

This section provides a discussion of the existing environment within and surrounding the Project site followed by a summary of prior environmental review and an analysis of the impacts of the proposed Amendment to Specific Plan #01-17 (Proposed Project). As described previously, an Initial Study (Appendix A) was prepared to determine which environmental resources had the potential for potentially significant environmental impacts; this Initial Study was circulated with the Notice of Preparation for this EIR. The analysis in the Initial Study determined that air quality, biological resources, energy, greenhouse gas emissions, noise, and traffic had potentially-significant impacts that should be analyzed in this EIR.

As required by CEQA Guidelines Section 15125, the general environmental setting has been described in Section 2.4 and resource-specific settings have been provided within each analysis section.

Section 15130(a) of the CEQA Guidelines requires a discussion of cumulative impacts of a project "when the project's incremental effect is cumulatively considerable." The CEQA Guidelines, Section 15355, defines a cumulative impact as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Cumulatively considerable impacts are defined in Section 15065(a)(3) of the CEQA Guidelines as the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Section 15130(b) of the CEQA Guidelines states "[t]he discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other project contribute rather than the attributes of other projects which do not contribute to the cumulative impact."

To analyze the cumulative impacts of the Project in combination with other expected projects, the amount and location of development expected to occur must be predicted. Section 15130(b) of the CEQA Guidelines allows two methods of prediction:

"Either:

(A) A list of relevant past, present and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or

(B) A summary of projections contained in adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect…"

For the purpose of this DEIR, the list approach was used rather than the projection approach. For purposes of analysis for cumulative effects, the impacts of the Proposed Project (the Specific Plan Amendment) was added to the impacts from the other uses in the Specific Plan to determine the impacts

of the overall Specific Plan should the Proposed Project be approved. A list of other relevant projects was provided by the City on March 2, 2022. According to the City, the only other relevant project to be considered in the cumulative impact analysis is an Anaerobic Digester Project that was approved by the City in 2020 but has not yet been constructed. The Anaerobic Digester Project is described below.

The Anaerobic Digester Project will take organic waste from local jurisdictions in the Coachella Valley and convert it to electricity. The facility would be located on an approximately 9.76-acre parcel (APN 666-360-015) on north of 19th Avenue and east of Calle De Los Ramos in the City of Desert Hot Springs, approximately 0.10 mile east of the eastern boundary of the Coachillin Specific Plan. An Initial Study/Mitigated Negative Declaration (IS/MND), tiered from a Program Environmental Impact Report prepared by CalRecycle, was prepared for the anaerobic digester project, which determined that all impacts would be less than significant with mitigation. Beneficial effects were found regarding greenhouse gas emissions because the anaerobic digester project would reduce the mass of organic waste in landfills (resulting in fewer methane emissions) and generate renewable energy (City of Desert Hot Springs 2020b).

3.2 Air Quality

An air quality analysis was prepared for the Proposed Project (Ganddini Group Inc. 2021a; Appendix C). This study is summarized below.

3.2.1 Environmental Setting

3.2.1.1 Description of Air Basin

The Project Site is located within the City of Desert Hot Springs, Riverside County and is within the Salton Sea Air Basin (SSAB). The SSAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is responsible for developing the regional Air Quality Management Plan (AQMP).

During summer months, the SSAB is generally influenced by a Pacific Subtropical High Cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The SSAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these systems are weak and diffuse when they reach the desert region. Most desert moisture arrives from infrequent warm, moist and unstable air masses from the south. The SSAB averages between three and seven inches of precipitation per year.

The Coachella Valley is a geographically and meteorologically unique area wholly contained within the SSAB. The region is currently impacted by significant air pollution levels caused by the transport of pollutants from coastal air basins to the west, primarily ozone, and locally generated particulate matter. However, the mountains surrounding the region provide a barrier from more severe coastal influences and create a hot and dry low-lying desert. As the desert heats up it draws cooler air through the San Gorgonio Pass, generating strong and sustained winds that cross the fluvial (water caused) and aeolian (wind) erosion zones in the valley.

The U.S. Environmental Protection Agency (EPA) and the California Air Resources 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. Each standard has a different definition of what constitutes attainment, based on specific air quality statistics. For example, the Federal 8-hour carbon monoxide (CO) standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring values exceeds the threshold per year. In contrast, the Federal annual ultra-fine particulate matter ($PM_{2.5}$) standard is met if the three-year average of the annual average $PM_{2.5}$ concentration is less than or equal to the standard. The SSAB's attainment status for pollutants under state and federal standards are provided in Table 3.2-1.

The Salton Sea Air Basin has been designated by the EPA as a non-attainment area for ozone (O_3) and particulates (PM_{10} and $PM_{2.5}$). The Salton Sea Air Basin has been designated by CARB as a nonattainment area for ozone and PM_{10}.

Table 3.2-1. Salton Sea Air Basin Attainment Status

Pollutant	State Status	Federal Status
ozone	Nonattainment	Nonattainment
carbon monoxide	Attainment	Unclassified/attainment
nitrogen dioxide	Attainment	Unclassified/attainment
sulfur dioxide	Attainment	Unclassified/attainment
Inhalable Particulates (PM_{10})	Nonattainment	Nonattainment
Ultra-Fine Particulates ($PM_{2.5}$)	Attainment	Unclassified/Attainment

Source: Ganddini Group, Inc. 2021a

3.2.1.2 Local Air Quality

In relation to other cities in southern California, the City of Desert Hot Springs has good air quality. However, in the past few decades increased development and population growth, traffic, construction activity, and site disturbances have contributed to the deterioration of air quality in the Coachella Valley (Ganddini Group Inc. 2021a).

The SCAQMD has divided the South Coast Air Basin into 38 air monitoring areas with a designated ambient air monitoring station representative of each area. The Proposed Project is within Source Receptor Area 30, Coachella Valley. SCAQMD operates two air monitoring stations in Source Receptor Area 30, one in Indio, approximately 40 miles south of the Project Site and the other in Palm Springs, approximately 23 miles southeast of the Project Site. Table 3.2-2 summarizes 2018 through 2020 published monitoring data, which is the most recent 3-year period available. The data shows that during the past few years, the region has exceeded the ozone and PM_{10} standards.

Table 3.2-2. Air Quality Monitoring Summary

Pollutant (standard)		Year		
		2018	2019	2020
Ozone	Maximum 1-Hour Concentration (ppm)	0.111	0.100	0.119
	Days > CAAQS (0.09 ppm)	11	5	9
	Maximum 8-Hour Concentration (ppm)	0.099	0.085	0.094
	Days > NAAQS (0.070 ppm)	56	34	49
	Days > CAAQS (0.070 ppm)	58	39	53
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)	0.041	0.043	0.047
	Days > CAAQS (0.18 ppm)	0	0	0
Inhalable Particulates (PM_{10})	Maximum 24-Hour Concentration (µg/m^3)	422.3	75.6	129.8
	Days > NAAQS (150 µg/m^3)	2	0	0
	Days > CAAQS (50 µg/m^3)	0	1	0
	Annual Average (µg/m^3)	22.9	20.7	23.2
Ultra-Fine Particulates ($PM_{2.5}$)	Maximum 24-Hour Concentration (µg/m^3)	30.2	15.5	23.9
	Days > NAAQS (35 µg/m^3)	0	0	0
	Annual Average (µg/m^3)	6	6	6.4

Source: Ganddini Group, Inc. 2021a

Notes: ppm = parts per million, µg/m^3 = microgram per cubic meter, CAAQS = California Ambient Air Quality Standards, NAAQS = National Ambient Air Quality Standard, O_3 = ozone, CO = carbon monoxide, NO_2= nitrogen dioxide, PM_{10}= inhalable particulates, $PM_{2.5}$ = ultra-fine particulates, *=insufficient data available to determine value

3.2.2 Regulatory Setting

3.2.2.1 Federal

The EPA is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for atmospheric pollutants. As described above, the EPA designates air basins as attainment, nonattainment, or unclassified as far as compliance with the NAAQS. Attainment status for the Salton Sea Air Basin is shown on Table 3.2-1.

As part of its enforcement responsibilities, the EPA requires each state with federal nonattainment areas to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the national standards. The SIP must integrate federal, state, and local components and regulations to identify specific measures to reduce pollution, using a combination of performance standards and market-based programs within the timeframe identified in the SIP.

3.2.2.2 State

CARB, which is a part of the California Environmental Protection Agency, is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, develops suggested control measures, provides oversight of local programs, and prepares the State Implementation Plan (SIP). Attainment status for the Salton Sea Air Basin is shown on Table 3.2-1.

In addition, CARB establishes emission standards for motor vehicles sold in California, consumer products (e.g., hairspray, aerosol paints, and barbeque lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions.

On December 12, 2008 CARB adopted Resolution 08-43, which limits NOx, PM_{10} and $PM_{2.5}$ emissions from on-road diesel truck fleets that operate in California. On October 12, 2009 Executive Order R-09-010 was adopted that codified Resolution 08-43 into Section 2025, Title 13 of the California Code of Regulations. This regulation requires that all commercial diesel trucks that operate in California shall meet model year 2010 (Tier 4) or latter emission standards by 2023. In the interim period, this regulation provides annual interim targets for fleet owners to meet. This regulation also provides a few exemptions including a one-time-per-year 3-day pass for trucks registered outside of California.

CARB is also responsible for regulations pertaining to toxic air contaminants. The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly) was enacted in 1987 as a means to establish a formal air toxics emission inventory risk quantification program. AB 2588, as amended, establishes a process that requires stationary sources to report the type and quantities of certain substances their facilities routinely release into the atmosphere. The data is ranked by high, intermediate, and low categories, which are determined by: the potency, toxicity, quantity, volume, and proximity of the facility to nearby receptors.

3.2.2.3 Regional

The SCAQMD is the agency principally responsible for comprehensive air pollution control in the Salton Sea Air Basin. The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines, when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. It has responded to this requirement by preparing a sequence of AQMPs.

Air Quality Management Plan

On June 21, 2002, the SCAQMD adopted the 2002 Coachella Valley PM_{10} State Implementation Plan (CVSIP). The 2002 CVSIP, which included a request for extension of the PM_{10} attainment deadline and met all applicable federal Clean Air Act requirements, including a Most Stringent Measures analysis, control measures, and attainment demonstration. U.S. EPA approved the 2002 CVSIP on April 18, 2003. At the time of adoption, the AQMD committed to revising with the 2002 CVSIP with the latest approved mobile source emissions estimates, planning assumptions and fugitive dust source emission estimates, when they became available.

The 2003 CVSIP updates those elements of the 2002 CVSIP; the control strategies and control measure commitments have not been revised and remain the same as in the 2002 CVSIP. The 2003 CVSIP contains updated emissions inventories, emission budgets, and attainment modeling. It requests that U.S. EPA replace the approved transportation conformity budgets in the 2002 CVSIP with those in the 2003 CVSIP. U.S. EPA approved these budgets on March 25, 2004 with an effective date of April 9, 2004. On June 30, 2016, the SCAQMD released its Draft 2016 AQMP. The 2016 AQMP is a regional blueprint for achieving the federal air quality standards and healthful air. The 2016 AQMP includes both stationary and mobile source strategies to ensure that rapidly approaching attainment deadlines are met, that public health is

protected to the maximum extent feasible, and that the region is not faced with burdensome sanctions if the Plan is not approved or if the NAAQS are not met on time. As with every AQMP, a comprehensive analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures is updated with the latest data and methods. The most significant air quality challenge in the Salton Sea Air Basin is to reduce nitrogen oxide (NOx) emissions sufficiently to meet the upcoming ozone standard deadlines. On March 23, 2017, CARB approved the 2016 AQMP. The primary goal of this AQMP is to meet clean air standards and protect public health, including ensuring benefits to environmental justice and disadvantaged communities. The Plan was approved by the EPA on June 15, 2017.

South Coast AQMD has initiated the development of the 2022 AQMP to address the attainment of the 2015 8-hour ozone standard (70 ppb) for South Coast Air Basin and Coachella Valley. To support the development of mobile source strategies for the 2022 AQMP, South Coast AQMD, in conjunction with California Air Resources Board, has established Mobile Source Working Groups which are open to all interested parties.

Rules and Regulations

SCAQMD has promulgated rules and regulations that apply to development in the Project Area.

SCAQMD Rule 402. Prohibits a person from discharging from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

SCAQMD Rule 403. Governs emissions of fugitive dust during construction and operation activities. Compliance with this rule is achieved through application of standard Best Management Practices, such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph, and establishing a permanent ground cover on finished sites.

SCAQMD Rule 403.1 is supplemental to Rule 403 and includes additional requirements for fugitive dust sources in the Coachella Valley. It is designed to establish minimum requirements for construction and demolition activities and other specified sources in order to reduce man-made fugitive dust and the corresponding PM_{10} emissions within the environment of the Coachella Valley.

SCAQMD Rule 445. Prohibits permanently installed wood burning devices into any new development. A wood burning device means any fireplace, wood burning heater, or pellet-fueled wood heater, or any similarly enclosed, permanently installed, indoor or outdoor device burning any solid fuel for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.

SCAQMD Rule 481. Applies to all spray painting and spray coating operations and equipment. The rule states that a person shall not use or operate any spray painting or spray coating equipment unless certain conditions are met.

SCAQMD Rule 1108. Governs the sale, use, and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt.

SCAQMD Rule 1113. Governs the sale, use, and manufacturing of architectural coating and limits the VOC content in paints and paint solvents.

SCAQMD Rule 1143. Governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content.

SCAQMD Rule 1186. Limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, county, agency or special district such as water, air, sanitation, transit, or school district.

SCAQMD Rule 1303. Governs the permitting of relocated or new major emission sources, requiring Best Available Control Measures and setting significance limits for PM_{10} among other pollutants.

SCAQMD Rule 1401, New Source Review of Toxic Air Contaminants, specifies limits for maximum individual cancer risk, cancer burden, and non-cancer acute and chronic hazard index from new permit units, relocations, or modifications to existing permit units, which emit toxic air contaminants.

SCAQMD Rule 2202, On-Road Motor Vehicle Mitigation Options, is to provide employers with a menu of options to reduce mobile source emissions generated from employee commutes, to comply with federal and state Clean Air Act requirements, Health & Safety Code Section 40458, and Section 182(d)(1)(B) of the federal Clean Air Act. It applies to any employer who employs 250 or more employees on a full or part-time basis at a worksite for a consecutive six-month period calculated as a monthly average.

SCAQMD Rule 2305. The Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program aims to reduce nitrogen oxide and diesel emissions associated with warehouses, help meet federal standards and improve public health. The WAIRE Program is an indirect source rule that regulates warehouse facilities to reduce emissions from the goods movement industry. Owners and operators of warehouses that have 100,000 square feet or more of indoor floor space in a single building must comply with the WAIRE Program. WAIRE is a menu-based point system in which warehouse operators are required to earn a specific number of points every year. The yearly number of points required is based on the number of trucks trips made to and from the warehouse each year, with larger trucks such as tractors or tractor-trailers multiplied by 2.5. Warehouse operators may be exempt from parts of the rule if they operate less than 50,000 square feet of warehousing activities, if the number of points required is less than 10, or if the WAIRE menu action chosen under performs due to circumstances beyond the operator's control, such as a manufacturer defect. SCAQMD Rule 316 establishes fees to fund Rule 2305 compliance activities.

3.2.2.4 Local

The City of Desert Hot Spring's General Plan Open Space and Natural Resources Element contains the following goals, policies and programs aimed at reducing air pollution (City of Desert Hot Springs 2020a):

Goal OS-2: Air Quality that is healthy for residents and the environment.

> Policy OS-2.1: Air Pollution Reduction. Seek to reduce air pollution through the implementation of existing regulations and the creation of new regulations where needed.
>
> Policy OS-2.2: Climate Change Laws. Find creative means to comply with State laws addressing climate change.
>
> Policy OS-2.3: Minimize Air Quality Impacts. Minimize the air quality impacts of new development projects on established uses.
>
> Policy OS-2.4: Air Quality Goals. Ensure that land use and transportation plans support regional air quality goals, with new development projects reducing vehicle miles traveled and vehicle trips.
>
> Policy OS-2.6: Alternative Fuels. Prioritize alternative fuel vehicles for City use. Incorporate alternative fuel charging stations into public and private development projects.
>
> Policy OS-2.8: Air Quality and Climate Change Analyses. Require detailed air quality and climate change analyses and mitigation plans for all applications that have the potential to adversely affect air quality.

The City's Municipal Code Section 5.50.150 *Odor Control* requires that facilities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the facility, 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 facility.

3.2.3 Methodology

Emissions are estimated using the CalEEMod software, which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse emissions from a variety of land use projects. CalEEMod was developed in collaboration with the air districts of California. Regional data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California air districts to account for local requirements and conditions. The model is considered to be an accurate and comprehensive tool for quantifying air quality impacts from land use projects throughout California and is recommended by the SCAQMD. The CalEEMod program uses the EMFAC2017 computer program to calculate the emission rates specific for the eastern portion of Riverside County for vehicle trips and the OFFROAD2011 computer program to calculate emission rates for heavy truck operations. EMFAC2017 and OFFROAD2011 are computer programs generated by CARB that calculate composite emission rates for vehicles. For construction, the maximum daily emissions are estimated values for the worst-case day and do not represent the emissions that would occur for every day of project construction. The CalEEMod program analyzed operational emissions from area sources, energy uses, and mobile sources. Mobile source emissions from operations were based on trip generation rates from the Traffic Impact Analysis (Ganddini Group 2021c). In order to show a worst-case scenario, this

analysis uses the traffic generation from days with an amphitheater event. Additional detail on the models and model outputs is provided in Appendix C.

3.2.4 Thresholds of Significance

The impact analysis provided below is based on the following California Environmental Quality Act (CEQA) Guidelines Appendix G thresholds of significance. The Project would result in a significant impact to air quality if it would:

- Conflict with or obstruct implementation of any applicable air quality plan.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard.
- Expose sensitive receptors to substantial pollutant concentrations.
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

3.2.5 Environmental Impacts

As discussed in Section 2.4.2, the approvals for the Approved Specific Plan required mitigation for air emissions, which are repeated below for convenience.

AQ-1: Architectural coatings applied to project buildings are to be limited to 50 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AQ-2: The project applicant shall ensure that all applicable SCAQMD Rules and Regulations are complied with during construction and the construction contractor use construction equipment that have Tier 3 or better engines for any on-site construction.

3.2.5.1 Construction Impacts

The unmitigated construction-related criteria pollutant emissions for the Proposed Project (construction of the hotel and amphitheater) are shown in Table 3.2-3. Construction of the SCE substation and the parking lot and solar carports on Parcel 25 would have very similar emissions and were not separately modeled. None of the Proposed Project unmitigated emissions would exceed regional thresholds and a less than significant impact would occur. The Approved Specific Plan requires the use of Tier 3 construction equipment and low-VOC architectural coatings and traffic paints (Mitigation Measures AQ-1 and AQ-2). These mitigation measures would also apply to the Proposed Project. Therefore, regional pollutant emissions from construction have also been calculated with these previously-adopted mitigation measures; these calculations are provided (Table 3.2-4).

Table 3.2-3. Unmitigated Construction-Related Regional Pollutant Emissions (Proposed Project)

Activity		Pollutant Emissions (pounds/day)[1]					
		ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Grading	On-Site[2]	3.62	38.84	29.04	0.06	5.22	2.93
	Off-Site[3]	0.07	0.04	0.62	0.00	0.17	0.05
	Subtotal	3.69	38.89	29.66	0.06	5.39	2.97
Building Construction	On-Site[2]	2.11	19.60	21.43	0.03	1.04	0.97
	Off-Site[3]	1.09	4.63	9.99	0.04	2.90	0.83
	Subtotal	3.19	24.23	31.43	0.07	3.94	1.80
Paving	On-Site[2]	1.50	11.12	14.58	0.02	0.57	0.52
	Off-Site[3]	0.005	0.03	0.47	0.00	0.13	0.03
	Subtotal	1.55	11.16	15.05	0.02	0.69	0.56
Architectural Coating	On-Site[2]	41.00	1.41	1.81	0.03	0.08	0.08
	Off-Site[3]	0.19	0.12	1.71	0.00	0.46	0.12
	Subtotal	41.19	1.52	3.52	0.03	0.54	0.21
Total for overlapping phases[4]		45.93	36.91	49.99	0.13	5.18	2.56
SCAQMD Thresholds		75	100	550	150	150	55
Exceeds Thresholds?		No	No	No	No	No	No

Source: Ganddini Group, Inc. 2021a

Notes: [1]CalEEMod Version 2020.4.0

[2]On-site emissions from equipment operated on-site that is not operated on public roads. Onsite grading PM_{10} and $PM_{2.5}$ emissions show compliance with SCAQMD Rule 403

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

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

Table 3.2-4. Mitigated Construction-Related Regional Pollutant Emissions (Proposed Project)

Activity		Pollutant Emissions (pounds/day)[1]					
		ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Grading	On-Site[2]	1.52	29.98	36.72	0.06	4.89	2.72
	Off-Site[3]	0.07	0.04	0.62	0.00	0.17	0.05
	Subtotal	1.59	30.02	37.34	0.06	5.06	2.77
Building Construction	On-Site[2]	0.84	18.12	23.13	0.03	1.18	1.18
	Off-Site[3]	1.09	4.63	9.99	0.04	2.90	0.83
	Subtotal	1.93	22.75	33.13	0.07	4.08	2.00
Paving	On-Site[2]	0.96	11.30	17.30	0.02	0.61	0.61
	Off-Site[3]	0.05	0.03	0.47	0.00	0.13	0.03
	Subtotal	1.01	11.33	17.76	0.02	0.74	0.64
Architectural Coating	On-Site[2]	40.86	1.36	1.83	0.00	0.10	0.10
	Off-Site[3]	0.19	0.12	1.71	0.00	0.46	0.12
	Subtotal	41.04	1.47	3.54	0.01	0.56	0.22
Total for overlapping phases[4]		43.98	35.55	54.42	0.10	5.37	2.86
SCAQMD Thresholds		75	100	550	150	150	55
Exceeds Thresholds?		No	No	No	No	No	No

Source: Ganddini Group, Inc. 2021a

Notes: [1]from CalEEMod Version 2020.4.0. Incorporates the use of Tier 3 equipment

[2]On-site emissions from equipment operated on-site that is not operated on public roads. Onsite grading PM_{10} and $PM_{2.5}$ emissions show compliance with SCAQMD Rule 403.

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

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

The Approved Specific Plan analyzed cannabis cultivation uses on Parcels 30 and 31 and an SCE substation on Parcel 25. The construction-related criteria pollutant emissions for the construction of the

previously-approved cultivation uses on Parcels 30 and 31 are shown below in Table 3.2-5. Table 3.2-5 shows that, with the approved mitigation measures AQ-1 and AQ-2, a less than significant impact would occur. In comparison with the Proposed Project, emissions would be similar with the exception of ROG emissions, which would be lower with the Proposed Project.

Table 3.2-5. Mitigated Construction-Related Regional Pollutant Emissions (Approved Specific Plan Parcels 30 and 31)

Activity		Pollutant Emissions (pounds/day)[1]					
		ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Grading	On-Site[2]	1.52	29.98	36.72	0.06	4.89	2.72
	Off-Site[3]	0.07	0.04	0.62	0.00	0.17	0.05
	Subtotal	1.59	30.02	37.34	0.06	5.06	2.77
Building Construction	On-Site[2]	0.84	18.12	23.13	0.03	1.18	1.18
	Off-Site[3]	0.92	3.89	8.43	0.03	2.45	0.70
	Subtotal	1.76	22.01	31.56	0.06	3.62	1.87
Paving	On-Site[2]	0.73	11.30	17.30	0.02	0.61	0.61
	Off-Site[3]	0.05	0.03	0.47	0.00	0.13	0.03
	Subtotal	0.78	11.33	17.76	0.02	0.74	0.64
Architectural Coating	On-Site[2]	64.42	1.36	1.83	0.00	0.10	0.10
	Off-Site[3]	0.16	0.10	1.43	0.00	0.39	0.10
	Subtotal	67.57	1.45	3.26	0.01	0.48	0.20
Total for overlapping phases[4]		67.11	34.79	52.58	0.10	4.84	2.71
SCAQMD Thresholds		75	100	550	150	150	55
Exceeds Thresholds?		No	No	No	No	No	No

Source: Ganddini Group, Inc. 2021a

Notes: [1]from CalEEMod Version 2020.4.0

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

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

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

The Proposed Project has been analyzed for potential local air quality impacts associated with construction-related fugitive dust and diesel emissions, toxic air contaminants, and odor impacts. Although rough grading has occurred on the entire Specific Plan Site, including Parcels 25, 30, and 31, precise grading is still required. As shown in Table 3.2-6, the maximum number of acres disturbed in a day would be 4 acres during grading. The local air quality emissions from construction were analyzed using the SCAQMD's Mass Rate Localized Significant Threshold Look-up Tables and the methodology described in the Localized Significance Threshold Methodology prepared by SCAQMD. The Look-up Tables were developed by the SCAQMD in order to readily determine if the daily emissions of carbon monoxide (CO), oxides of nitrogen (NO_x), particulate matter with a diameter of ten microns or less (PM_{10}), and particulate matter with a diameter of 2.5 microns or less ($PM_{2.5}$) from the Proposed Project could result in a significant impact to the local air quality.

Table 3.2-6. Maximum Number of Acres Disturbed Per Day (Proposed Project)

Activity	Equipment	Number	Acres/8hr-day	Total Acres
Grading	Scrapers	2	1	2
	Rubber Tired Dozers	1	0.5	0.5
	Graders	1	0.5	0.5
	Crawler Tractors[1]	2	0.5	1
Total for phase		-	-	4

Source: Ganddini Group, Inc. 2021a
Notes: [1]Tractor/loader/backhoe is a suitable surrogate for a crawler tractor per SCAQMD staff.

Table 3.2-7 shows the estimated onsite emissions from the CalEEMod model for the different construction phases and the LST emissions thresholds. The data provided in Table 3.2-7 shows that none of the analyzed criteria pollutants would exceed the local emissions thresholds at the nearest sensitive receptors. As stated previously, it the Proposed Project would also use Tier 3 level construction equipment in compliance with previously-approved Mitigation Measure AQ-2. The construction-related emissions mitigated via use of Tier 3 equipment have been shown in Table 3.2-8. A less than significant local air quality impact would occur from construction of the Proposed Project. No additional mitigation is required.

When compared to the local construction emissions as analyzed for the Approved Project, impacts would be similar because the size of the parcels, similar equipment used, and the same distance to sensitive receptors.

Table 3.2-7. Unmitigated Local Construction Emissions at the Nearest Receptors (Proposed Project)

Activity	On-Site Pollutant Emissions (pounds/day)[1]			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Grading	38.84	29.04	3.06	2.93
Building Construction	19.60	21.43	1.04	0.97
Paving	11.12	14.58	0.57	0.52
Architectural Coating	1.41	1.81	0.08	0.08
SCAQMD Thresholds[2]	769	26,212	223	112
Exceeds Threshold?	No	No	No	No

Source: Ganddini Group, Inc. 2021a

Table 3.2-8. Mitigated Local Construction Emissions at the Nearest Receptors (Proposed Project)

Activity	On-Site Pollutant Emissions (pounds/day)[1]			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Grading	29.98	36.72	4.89	2.72
Building Construction	18.12	23.13	1.18	1.18
Paving	11.30	17.30	0.61	0.61
Architectural Coating	1.36	1.83	0.10	0.10
SCAQMD Thresholds[2]	769	26,212	223	112
Exceeds Threshold?	No	No	No	No

Source: Ganddini Group, Inc. 2021a

Toxic Air Contaminant Impacts

The greatest potential for toxic air contaminant (TAC) emissions would be from diesel particulate emissions associated with heavy equipment operations during construction of the Proposed Project. According to the Office of Environmental Health Hazard Assessment (OEHHA) and the SCAQMD, health effects from TACs are described in terms of individual cancer risk based on a lifetime (i.e., 30-year) resident exposure duration (Ganddini Group, Inc. 2021a). Given the temporary and short-term construction schedule, the Proposed Project would not result in a long-term (i.e., lifetime or 30-year) exposure as a result of project construction.

The Proposed Project would comply with the California Air Resources Board (CARB) Air Toxics Control Measure that limits diesel powered equipment and vehicle idling to no more than 5 minutes at a location, and the CARB In-Use Off-Road Diesel Vehicle Regulation; compliance with these would minimize emissions of TACs during construction. Furthermore, construction-based particulate matter emissions (including diesel exhaust emissions) do not exceed any local or regional thresholds. Therefore, impacts from TACs during construction would be less than significant. When compared to the potential TAC emissions as analyzed for the Approved Project, impacts would be similar because the similar construction timeframe, similar equipment used, and the same distance to sensitive receptors.

Odor Impacts

Activities that may emit odors during construction include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are of short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor producing materials. Due to the short-term nature and limited amounts of odor producing materials being utilized by the Proposed Project, no significant odor related impacts would occur during construction. When compared to the potential for odors as analyzed for the Approved Project, impacts would be similar because the size of the parcels, similar equipment used, and the same distance to sensitive receptors.

3.2.5.2 Operational Impacts

Operations-related air quality impacts associated with the Proposed Project were analyzed using CalEEMod Version 2016.3.2. CalEEMod analyzes operational emissions from area sources, energy usage, and mobile sources.

Worst-case scenario summer and winter criteria pollutant emissions resulting from the long-term operation of the Proposed Project (hotel and amphitheater) are presented in Table 3.2-9, representing a day where these is an event at the amphitheater, which would occur approximately four times per month. None of the analyzed criteria pollutants would exceed the regional emissions thresholds. When compared to the previously-analyzed cannabis cultivation land uses on Parcels 30 and 31 from the Approved Specific Plan (Table 3.2-10), emissions would be greater due to increased patron vehicle traffic on amphitheater event days. Emissions from the unmanned SCE substation would be similar to or greater than the proposed parking lot and solar carports. This is because the parking lot is within the walled and gated Specific Plan area and would be for the use of the developments within the Specific Plan. It is not a park-and-ride or other public use that would generate its own operational emissions. Therefore, the emissions that are associated with the vehicles that may park in the proposed parking lot are already accounted for in the modeling for the other uses in the Specific Plan. Therefore, although air emissions would be greater than with the Approved Specific Plan, a less than significant regional air quality impact would occur from operation of the Proposed Project.

Table 3.2-9. Regional Operation Pollutant Emissions (Proposed Project Parcels 30 and 31, Amphitheater Event Day)

Activity	Pollutant Emissions (pounds/day)[1]					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources	4.76	0.00	0.03	0.00	0.00	0.00
Energy Usage	0.32	2.94	2.47	0.02	0.22	0.22
Mobile Sources	9.59	9.18	60.18	0.11	10.91	2.97
Total Emissions	14.68	12.11	62.68	0.13	11.14	3.20
SCAQMD Thresholds[2]	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: Ganddini Group, Inc. 2021a
Notes:
[1]CalEEMod Version 2020.4.0; the higher of either summer or winter emissions.
[2]Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
[3]Energy usage consists of emissions from generation of electricity and on-site natural gas usage.
[4]Mobile sources consist of emissions from vehicles and road dust.

Table 3.2-10. Regional Operation Pollutant Emissions (Approved Specific Plan Parcels 30 and 31)

Activity	Pollutant Emissions (pounds/day)[1]					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources	7.56	0.00	0.04	0.00	0.00	0.00
Energy Usage	0.33	3.03	2.55	0.02	0.23	0.23
Mobile Sources	0.96	1.31	9.09	0.02	2.03	0.55
Total Emissions	8.85	4.34	11.68	0.04	2.26	0.78
SCAQMD Thresholds[2]	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: Ganddini Group, Inc. 2021a
Notes:
[1]CalEEMod Version 2020.4.0; the higher of either summer or winter emissions.
[2]Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
[3]Energy usage consists of emissions from generation of electricity and on-site natural gas usage.
[4]Mobile sources consist of emissions from vehicles and road dust.

The Proposed Project has been analyzed for potential local CO emission impacts from the project-generated vehicular trips and from the potential local air quality impacts from onsite operations. The following analysis analyzes the vehicular CO emissions, local impacts from onsite operations per SCAQMD localized significance threshold (LST) methodology, and odor impacts.

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing future without and with project CO levels to the state and federal CO standards.

To determine if the Proposed Project would cause emission levels in excess of state and federal CO standards, a sensitivity analysis is typically conducted to determine the potential for CO hot spots at a number of intersections in the general project vicinity. Because of reduced speeds and vehicle queuing, hot spots can occur at high traffic volume intersections with a Level of Service E or worse.

The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. Therefore, as both the intersection and ADT volumes fall far short of 100,000 vehicles per day (even on an amphitheater event day), no CO hot spot modeling was performed, and no significant long-term air quality impact is anticipated to local air quality due to the operation of the Proposed Project.

Project-related air emissions from onsite sources such as architectural coatings, landscaping equipment, onsite use of natural gas appliances as well as the operation of vehicles on the 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 portion of the

South Coast Air Basin. The nearest sensitive receptors to Parcel 30 and Parcel 31 that may be affected by the Proposed Project are the single-family detached residential dwelling units located approximately 0.39 mile (627 meters) northeast of the project site.

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 would include a 175-room hotel and an amphitheater and does not include such uses. Therefore, due the lack of stationary source emissions, no long-term localized significance threshold analysis is warranted (Ganddini Group Inc. 2021a, c).

Toxic Air Contaminants

The Proposed Project would be constructed in compliance with all City regulations pertaining to use of materials and California Building Standards Code (Title 24) requirements. The Specific Plan specifies the use of only low VOC-emitting building materials. The California Air Resources Board (CARB) under the California Health and Safety Code (Title 17, Sections 93120 through 93120.12) has formaldehyde emission standards for three types of composite wood products (i.e., panels): hardwood plywood, particleboard, and medium density fiberboard (including thin MDF). Since 2018, the federal Toxic Substances Control Act (TSCA) Title VI requires composite wood products sold, supplied, offered for sale, manufactured, or imported in the US meet new emission standards for formaldehyde to reduce exposures to formaldehyde and avoid adverse health effects. CARB requires use of composite wood products that comply with these emission standards in all finished goods. Formaldehyde is readily biodegradable and complete degradation of formaldehyde can be accomplished in less than 30 days, and formaldehyde in air can be degraded in less than 4 days (Hazardous Substances Data Bank 2021). Most, if not all, formaldehyde residue in furniture can be expected to be off gassed and released shortly after manufacture (i.e., 30 days after manufacture), meaning that the amount of formaldehyde residue in furniture and indoor air would be expected to approach zero within 30 days. Cancer effects are produced following extensive, long-term exposures for usually more than 7 years. Wood-pressed furniture would not have enough formaldehyde to off-gas for that length of time (or any length of time generally exceeding five days). The Proposed Project will be required to comply with federal and CARB standards; therefore, health risks from indoor air pollution are anticipated to be less than significant.

Odor Impacts

Potential sources that may emit odors during the on-going operations of the Proposed Project would include odor emissions from diesel vehicle emissions and trash storage areas. The Proposed Project would include a hotel and amphitheater and is not anticipated to attract a significant amount of heavy-duty truck traffic. Due to the distance of the nearest receptors from the project site and through compliance with SCAQMD's Rule 402, no impact related to odors would occur.

3.2.5.3 Cumulative Impacts

When determining cumulative air quality impacts associated with a Proposed Project the SCAQMD recommends using two different methodologies: (1) that project-specific air quality impacts be used to

determine the potential cumulative impacts to regional air quality; and (2) that a project's consistency with the current AQMP be used to determine its potential cumulative impacts.

Project-Specific Impacts

The Project Area is out of attainment for ozone and in 2018 was out of attainment for PM_{10}. Construction and operation of other projects in the region will further degrade the local air quality, as well as the air quality of the Salton Sea portion of the South Coast Air Basin. The greatest cumulative impact on the quality of regional air cells will be the incremental addition of pollutants mainly from increased traffic volumes from regional residential, commercial, and industrial development throughout the basin and the use of heavy equipment and trucks associated with the construction of these projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the 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. A significant impact may occur if a project would add a cumulatively considerable contribution of a federal or state non-attainment pollutant.

Construction emissions from the Approved Specific Plan and the Proposed Project would be similar for both the previously-approved cannabis cultivation uses and the proposed hotel/amphitheater uses because the same area would be disturbed and similar construction equipment would be used. As shown in Table 3.2-4 and 3.2-5, the construction emissions from the Proposed Project and the approved cannabis uses are very similar, with the exception of ROG emissions. ROG emissions from the Proposed Project would be less than with the Approved Specific Plan because the Approved Specific Plan would result in higher emissions from architectural coatings. Because the Approved Specific Plan would have less than significant impacts with mitigation, and because the Proposed Project would have similar or fewer construction emissions than the previously-approved cannabis uses, impacts from the Proposed Project in combination with the other uses in the Approved Specific Plan would be less than significant with mitigation.

As described previously Proposed Project operations would generate emissions of NOx, ROG, CO, PM_{10}, and $PM_{2.5}$, which would not exceed the SCAQMD regional or local thresholds. As shown in Table 3.2-11, when the emissions for the Proposed Project uses are substituted in the place of the emissions for the Approved Specific Plan's cannabis cultivation uses on Parcels 30 and 31 and the parking lot is substituted for the SCE substation on Parcel 25, there would be an increase of emissions largely due to the increase in vehicles generated by the proposed amphitheater on event days. When added to the operational emissions from the remainder of the Specific Plan, all emissions would be below SCAQMD thresholds except for ROG, which would be above the SCAQMD threshold, resulting in a significant cumulative impact. Mitigation Measure AQ-3, which would require a shuttle service to reduce passenger car trips, would be implemented to reduce air emissions from patron vehicles on amphitheater event days.

Table 3.2-11. Comparison of Approved Specific Plan and Proposed Project Operational Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Approved 2017 Specific Plan	69.77	58.56	87.78	0.45	25.17	8.21
Entire Specific Plan Project with Substitution of Hotel and Amphitheater Land Uses (without Mitigation Measure AQ-3)	75.60	66.33	138.78	0.54	34.04	10.62
Difference in Emissions from Approved Specific Plan	5.83	7.77	51.00	0.09	8.87	2.41
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Threshold?	Yes	No	No	No	No	No
Entire Specific Plan Project with Substitution of Hotel and Amphitheater Land Uses (with Mitigation Measure AQ-3)	74.12	64.96	129.85	0.53	32.47	10.20
Difference in Emissions from Approved Specific Plan	4.35	6.40	42.07	0.08	7.30	1.99
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: Ganddini Group, Inc. 2021a

Construction and operation of the nearby Anaerobic Digester Project was determined to have less-than-significant impacts to air quality during both construction and operations with the implementation of mitigation measures that included compliance with applicable air quality management district rules and regulations, requiring all substrate unloading and processing to occur indoors and all air off-gassed treated via biofilter or air scrubbing system, use of equipment meeting Tier II emissions standards, at a minimum, minimizing idling time, and use of electrical equipment where possible. The Proposed Project would have ROG emissions above the SCAQMD threshold when added to the emissions from the other uses in the Specific Plan, mainly due to the increase in automobile traffic on event days at the amphitheater. The Anaerobic Digester Project would also include truck traffic, which would be a source of air emissions, including ROG. However, the IS/MND prepared for the Anaerobic Digester Project found that these emissions would be 5.04 pounds per day, which is far less than the threshold of 75 pounds per day. Additionally, the haul trucks travelling to the Anaerobic Digester would at least be partially offset because fewer trucks would be needed to haul organic waste to local landfills. Therefore, the Proposed Project in addition to the Anaerobic Digester Project would not cause additional significant effects to the environment.

Air Quality Management Plan Compliance

CEQA requires a discussion of any inconsistencies between a proposed project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The applicable regional plan for the Proposed Project is the SCAQMD AQMP. A proposed project is consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

(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 will exceed the assumptions in the AQMP in 2016 or increments based on the year of project buildout and phase.

Criterion 1 – Increase in the Frequency or Severity of Violations

Based on the air quality modeling analysis contained in the Air Quality Analysis prepared for the Proposed Project (Ganddini Group Inc. 2021a), short-term construction impacts would not result in significant impacts based on the SCAQMD regional and local thresholds of significance. Additionally, long-term operations would not result in significant impacts based on the SCAQMD local and regional thresholds. Therefore, the Proposed Project would be consistent with the AQMP for the first criterion.

Criterion 2 – Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the Proposed Project with assumptions in the AQMP. The intent of this criterion is to ensure that the analysis completed for the Proposed Project is based on the same forecasts as the forecasts in the AQMP. For this project, the City's General Plan defines the assumptions that are represented in the AQMP (City of Desert Hot Springs 2020a).

The Approved Specific Plan, including the Specific Plan's Mixed Use Zone for Parcels 30 and 31, is included in the City's General Plan. The Proposed Project would not result in an inconsistency with the current land use designation in the City's General Plan. Therefore, the Proposed 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, the Proposed Project would not result in an inconsistency with the SCAQMD AQMP. Therefore, a less than significant cumulative impact would occur.

3.2.6 Mitigation Measures

As discussed in Sections 2.4.2 and 3.2.4, Mitigation Measures AQ-1 and AQ-2 were adopted with the Approved Specific Plan and will apply to the Proposed Project. These mitigations are repeated below for convenience.

AQ-1: Architectural coatings applied to project buildings are to be limited to 50 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AQ-2: The project applicant shall ensure that all applicable SCAQMD Rules and Regulations are complied with during construction and the construction contractor use construction equipment that have Tier 3 or better engines for any on-site construction.

AQ-3: During an event at the proposed amphitheater, a charter shuttle bus service shall be provided with a pick-up location within the Downtown Palm Springs area. The charter shuttle bus service shall be a reservation-based service provided by the event organizer so that the size of the vehicle and exact schedule can be determined based on the type of event, ticket sales, and demand. At least 25 percent of the tickets sold for each event will include the cost for a shuttle or rideshare option.

3.2.7 Residual Impacts After Mitigation

Project-level impacts to air quality are less than significant with Mitigation Measures AQ-1 and AQ-2. Cumulative effects to air quality would be less than significant with Mitigation Measure AQ-3.

3.3 Biological Resources

3.3.1 Environmental Setting

Under the Approved Specific Plan, the entire Specific Plan Site has been rough graded, some parcels have been partially graded, and infrastructure has been installed (see Section 2.4). There is no native vegetation remaining within the development area of the Specific Plan, inside the perimeter block wall (see Photos 1 and 2 in Section 2.4). Vegetation found within the perimeter block wall is limited to non-native weeds and grasses associated with highly disturbed areas.

Prior to site grading for the Approved Specific Plan, the Specific Plan Site contained an ephemeral dry wash along a portion of the Specific Plan Area's eastern boundary. Based on an approved non-jurisdictional determination completed in April 2017, it was determined that the feature was not a Water of the United States and a Section 404 Clean Water Act Permit was, therefore, not required for the Specific Plan. Regulations at the time also did not require Clean Water Act Section 401 permitting with the Regional Water Quality Control Board. However, the dry wash was considered to be jurisdictional to the California Department of Fish and Wildlife (CDFW) and the Specific Plan obtained a Streambed Alteration Agreement (SAA) for the permanent loss of the feature pursuant to Fish and Game Code Section 1602 in April 2017.

Under the approval of the SAA, the ephemeral dry wash was removed during mass grading of the Specific Plan area in 2017 and the dry wash was relocated between Indian Canyon Drive and the block wall surrounding the development parcels within the Specific Plan Area. This relocated dry wash was constructed to the specifications of the SAA and serves as mitigation for the impacts to the original dry wash. It collects storm flows from portions of the development areas as well as natural storm flows from outside the development area. The channel has an earthen bottom and riprap along its sides to prevent erosion, and it contains mostly bare ground and native herbaceous and shrubby vegetation. The SAA is in the process of being amended to include a Habitat Mitigation and Monitoring Plan (HMMP) being prepared for the drainage along Indian Canyon Road. The HMMP will address long-term maintenance and management of the construction drainage.

There is also a network of storm drainage channels and retention basins interior to the development area that will be maintained by the Specific Plan's Property Owners Association to ensure that the site's flood control requirements are met. These infrastructure features do not support wildlife habitat because there is no vegetation. Additionally, the drainage basins have been designed to infiltrate water efficiently. There are currently no riparian habitats or state or federally protected wetlands in the area proposed for development within the perimeter block wall and the interior site drainage and retention basins are not considered to be regulated habitat areas by the CDFW.

The Project site is located within the Coachella Valley Multiple Species Habitat Plan (CVMSHCP) area. The CVMSHCP is a long-term program designed to conserve federally protected species, state-protected species, and/or other species of concern. The CVMSHCP program aims to conserve over 240,000 acres of open space and protect 27 plant and animal species by providing comprehensive compliance with federal and state endangered species laws. The Project site is not within a Conservation Area as designated by the CVMSHCP and does not abut a Conservation Area. According to the CVMSHCP, the Project site has not

been determined to be a part of a biological corridor or linkage area between large blocks of undeveloped areas (CVAG 2007). The parcels to the east and west are currently vacant and parcels to the north and south are a combination of existing development and vacant parcels. All of the parcels surrounding the site are zoned for development and are not within a Conservation Area as designated by the CVMSHCP.

3.3.2 Regulatory Setting

3.3.2.1 Federal

Endangered Species Act (ESA)

The ESA protects plants and animals that are listed as endangered or threatened by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service. Section 9 of the ESA prohibits the taking of endangered wildlife, where taking is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 Code of Federal Regulations [CFR] 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any endangered plant on federal land and removing, cutting, digging up, damaging, or destroying any endangered plant on non-federal land in knowing violation of state law (16 U.S. Code 1538). Under Section 7 of the ESA, federal agencies are required to consult with the USFWS if their actions, including permit approvals or funding, could adversely affect a listed (or proposed) species (including plants) or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity provided the activity will not jeopardize the continued existence of the species. Section 10 of the ESA provides for issuance of incidental take permits where no other federal actions are necessary provided a habitat conservation plan (HCP) is developed.

Migratory Bird Treaty Act (MBTA)

The MBTA implements international treaties between the U.S. and other nations devised to protect migratory birds, any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MTBA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purpose, take of depredating birds, taxidermy, and waterfowl sale and disposal. Regulations governing migratory bird permits can be found in 50 CFR Part 13 General Permit Procedures and 50 CFR Part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513 and 3503.5 of the California Fish and Game Code.

The Bald and Golden Eagle Protection Act (The Eagle Act)

The Eagle Act of 1940, amended in 1962, was first employed for the protection of bald eagles (*Haliaeetus leucocephalus*). In 1962 the Eagle Act was amended to include golden eagles (*Aquila chrysaetos*) as well. This addition was made to help strengthen the protection of bald eagles who were often killed by people confusing them with golden eagles. This act has made it illegal to import, export, take, sell, purchase, or barter bald or golden eagles.

The Clean Water Act

The USACE regulates discharge of dredged or fill material into waters of the U.S. under Section 404 of the CWA. *Discharges of fill material* is defined as the addition of fill material into waters of the U.S., including, but not limited to the following: placement of fill necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; and fill for intake and outfall pipes, and subaqueous utility lines [33 Code of Federal Regulations (CFR) § 328.2(f)]. In addition, Section 401 of the CWA (33 U.S. Code [USC] 1341) requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the U.S. to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards. Section 401 Certification, "gives states and authorized tribes the authority to grant or waive certification of proposed federal licenses or permits that may discharge into waters of the US" (33 USC 1251).

On April 21, 2020, the U.S. Environmental Protection Agency (USEPA) and the Department of the Army (Army) published the NWPR to define waters of the United States in the *Federal Register*. This rule became effective on June 22, 2020.

In August 2021, a judge in the U.S. District Court for the District of Arizona ruled to vacate the NWPR. On October 1, 2021, Judge Màrquez of the U.S. District Court for the District of Arizona granted the United States Environmental Protection Agency (EPA) and United States Department of the Army, Corps of Engineers (Corps) an extension until November 30, 2021 to make proposals for further proceedings concerning challenges to the 2020 regulatory definition of the "Waters of the United States" (WOTUS) and Navigable Waters Protection Rule (NWPR). On December 7, 2021 the EPA and USACE announced a proposed rule to revise the definition of "waters of the United States." This proposal would return to the pre-2015 definitions of waters of the U.S. The proposed rule is open for public comment in the first quarter of 2022 and a final rule is expected to be issued later in the year.

In the USACE/USEPA CWA regulations (33 CFR 328.3[a]), the term "waters of the U.S." is defined as follows:

1. All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters including interstate wetlands;
3. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters: (i) Which are or could be used by interstate or foreign travelers for recreational or other purposes; or (ii) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or (iii) Which are used or could be used for industrial purpose by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the U.S. under the definition;
5. Tributaries of waters identified in paragraphs (a)(1)-(4) of this section;

6. The territorial seas;
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in 1-6 above

3.3.2.2 State

California Endangered Species Act (California ESA)

The California ESA generally parallels the main provisions of the ESA but, unlike its federal counterpart, the California ESA applies take prohibitions to species proposed for listing (referred to as *candidates* by the State). Section 2080 of the California Fish and Game Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The California ESA allows for incidental take to otherwise lawful development projects. State lead agencies are required to consult with the California Department of Fish and Wildlife (CDFW) to ensure any action they undertake is not likely to jeopardize the continued existence of any endangered or threatened species or result in destruction or adverse modification of essential habitat.

Fully Protected Species

The State of California first began to designate species as fully protected prior to the creation of the federal and California ESAs. Lists of fully protected species were initially developed to provide protection to rare animals, or those at risk of extinction. Most fully protected species have since been listed as threatened or endangered under federal and/or California ESAs. The regulations that implement the Fully Protected Species Statute (California Fish and Game Code Section 4700) provide that fully protected species may not be taken or possessed at any time. Furthermore, CDFW prohibits any state agency from issuing incidental take permits for fully protected species, except for necessary scientific research.

California Fish and Game Code

Streambed Alteration Agreement. Section 1602 of the California Fish and Game Code requires submittal of a Notification of Lake or Streambed Alteration for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank or any river, stream or lake." The CDFW reviews the proposed actions and, if necessary, submits a proposal to the Applicant for measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and the Applicant is the SAA. Often, projects that require a Streambed Alteration Agreement also require a permit from the U.S. Army Corps of Engineers under Section 404 of the federal Clean Water Act (CWA). In these instances, conditions of both the SAA and Section 404 permit may overlap.

Migratory Birds. The CDFW enforces the protection of nongame native birds in Sections 3503, 3503.5 and 3800 of California Fish and Game Code. Section 3513 of the California Fish and Game Code prohibits the possession or take of birds listed under the MBTA. These sections mandate the protection of California nongame native birds' nests and make it unlawful to take these birds. All raptor species are protected from take pursuant to California Fish and Game Code Section 3503.5 and are also protected at the federal level by the MBTA.

The Native Plant Protection Act (NPPA). The NPPA of 1977 (FGC Sections 1900-1913) is a state act created to help "preserve, protect, and enhance rare and endangered plants in this state." The NPPA is regulated by the CDFW who has the authority to classify native plants as endangered or rare to help prevent these species from take. Endangered and rare plant species would also be provided additional protection under the California ESA.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act requires "any person discharging waste, or proposing to discharge waste, within any region that could affect the waters of the State to file a report of discharge" with the RWQCB through State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures) (California Code of Regulations [CCR], title 23, § 3855) (State Water Resources Control Board [SWRCB] 2021). Waters of the State is defined as any surface water or groundwater, including saline waters, within the boundaries of the State (California Water Code § 13050[e]). Pollution is defined as an alteration of the quality of the waters of the state by waste to a degree that unreasonably affects its beneficial uses (California Water Code § 13050) and includes filling in waters of the State. Note that CCR, title 23, § 3855 applies only to individual water quality certifications, but the new Procedures extend the application of § 3855 to individual waste discharge requirements for discharges of dredged or fill material to Waters of the State and waivers thereof.

3.3.2.3 Regional

Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP)

The CVMSHCP is managed by the Coachella Valley Conservation Commission (CVCC), participants include Riverside County, the Cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, Rancho Mirage, as well as Coachella Valley Water District, Imperial Irrigation District, Mission Springs Water District, Coachella Valley Association of Governments, California State Parks, Coachella Valley Mountains Conservancy, and Caltrans (CVAG 2016). The CVMSHCP is a long-term program designed to conserve federally protected species, state-protected species, and/or other species of concern. The CVMSHCP program aims to conserve over 240,000 acres of open space and protect 27 plant and animal species by providing comprehensive compliance with federal and state endangered species laws.

The Project Site is located within the CVMSHCP boundary but does not share a border with any of the CVMSHCP Conservation Areas. The Willow Hole Conservation Area is the closest conservation area to the Project site, located one mile to the east.

3.3.2.4 Local

General Plan's Open Space and Community Resources Element notes that the City is within the CVMSHCP area. Specific polices relevant to biological resources include:

Policy OS-1.2: Threatened and Endangered Species. Protect threatened, endangered, or other special status plant and animal species.

Policy OS-1.3: Future Development. Minimize the impact of future development on sensitive habitat and species.

Policy OS-1.4: Development Regulations. Apply land use development regulations to limit development of sensitive biological areas, including biological linkages and conservation areas.

Policy OS-1.8: Compatible Growth. Allow for appropriate and compatible growth and development that is consistent with applicable laws within the CVMSHCP areas.

Policy OS-1.9: Project Review. Provide a less costly, more efficient project review process which results in greater conservation values than project-by-project, species-by-species review.

Policy OS-1.10. Clear Expectation and Regulatory Predictability. Provide clear expectations and regulatory predictability for persons carrying out activities within the CVMSHCP areas.

3.3.3 Methodology

Biological resources surveys that were conducted for the Project Site to support previous CEQA documentation (AMEC 2007, 2016a, 2016b, 2016c; ECORP 2016, 2017a) were reviewed. Additionally, the results of the pre-construction surveys conducted to support grading under the requirements of Mitigation Measures BR-2 and BR-3 from the Approved Specific Plan (ECORP 2017b) and the executed Lake and Streambed Alteration Agreement for the Approved Specific Plan were reviewed. Since 2017, the entire Specific Plan Area has been graded, nearly all infrastructure has been installed, and some buildings have been constructed on parcels not affected by the Proposed Project. To evaluate current conditions on the site, field visits were conducted by a qualified biologist on September 1, 2021 and September 15, 2021 and a field visit/site meeting was conducted on the site with CDFW on November 8, 2021 and an updated search of the California Natural Diversity Data Base (CNDDB) was conducted in February 2022.

On September 1, 2021, the City and the Applicant held a meeting with the CDFW to clarify the comments in their scoping letter. CDFW's comments were concerned with the potential for sensitive wildlife species to enter the site during construction, the potential effects of increased night lighting at the amphitheater on biological resources, and for the potential for the drainage adjacent to Indian Canyon Drive to be affected by development activity. CDFW also noted that future cannabis projects within the Specific Plan are subject to a license from the State Department of Cannabis Control, but that the proposed uses on Parcels 25, 30, and 31 are not subject to this license.

3.3.4 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. For purposes of this EIR, implementation of the project would be considered to have a significant adverse impact on biological resources if it would:

- 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 CDFW or USFWS?

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS.
- Have a substantial adverse effect on state or federally protected wetlands, as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.), either individually or cumulatively, through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors or impede the use of wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

3.3.5 Environmental Impacts

As discussed in Section 2.4.2, Mitigation Measures BR-1 through BR-3 were adopted with the Approved Specific Plan. These mitigations are repeated below for convenience.

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

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

BR-3: If construction or other ground-disturbing activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The survey shall be completed no more than 14 days prior to initial ground disturbance. The nesting bird survey shall include the project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.

3.3.5.1 Construction Impacts

The Proposed Project would be located on the same site as the Approved Specific Plan. Since the approval of the Specific Plan in 2017, rough grading of up to 5 feet in depth has occurred on the entire site, including Parcels 25, 30 and 31. Utilities and other infrastructure has been installed. The approvals for the Approved Specific Plan required mitigation for biological resources, which included payment of the CVMSHP Local Development Mitigation Fee and pre-disturbance surveys and monitoring (if warranted by the pre-disturbance surveys) for burrowing owl and nesting birds. The Project Site has been graded and

compacted, supporting no native vegetation, and is surrounded by a perimeter block wall. As such, access to the site for the terrestrial species (tortoise and kit fox) is considered to be extremely limited and the site would not be expected to support breeding habitat for these species. If one or more of these species were to use the site, it would likely only be used on a temporary basis for access to water or food resources.

CDFW provided a comment letter during the scoping period for this EIR that expressed the concern that there remains a possibility for birds (including burrowing owl), desert tortoise, and desert kit fox to enter the site, even though there is no habitat on the portions of the site that would be disturbed by development. The CDFW has requested revised mitigation measures to avoid impacts to biological resources that may come onto the site during construction from nearby habitat, which are provided below as Mitigation Measures BR-1 through BR-6. Impacts to these species would be less than significant with mitigation. It should be noted that the updated CNDDB search conducted in February 2022 did not reveal any new species recorded in the vicinity of the site that were not addressed in previous biology surveys or the SAA.

CDFW, in their scoping comment letter, also noted that the California Department of Cannabis Control (DCC) requires cannabis cultivators to demonstrate compliance with Fish and Game Code Section 1602 prior to issuing a cultivation license. As described in Section 3.3.1, the mass grading for installation of the Approved Specific Plan's infrastructure obtained a SAA under Fish and Game Code Section 1602. Each cannabis project within the Specific Plan will be required to submit an application through CDFW's Environmental Permit Information Management System (EPIMS) and obtain either a letter stating that notification under Section 1602 is not required or that a SAA is required for the cannabis project. Because the drainage along Indian Canyon Road is not within any area that would be disturbed by future cannabis development and the interior drainages and retention basins are not considered to be habitat, it is unlikely that future separate SAA would be required for future cannabis projects. However, future cannabis projects would be required to comply with the conditions of the existing SAA. With compliance with the DCC application process, a less than significant impact would occur. The hotel, amphitheater, and parking lot/solar land uses that are proposed for Parcels 30, 31, and 25, respectively, would not be subject to the DCC reporting/application requirements. The proposed hotel, amphitheater, and parking lot/solar development would not affect the drainage along Indian Canyon Drive and no impact would occur. Access to the proposed hotel, amphitheater, and parking lot/solar development would be from previously-approved access roads, which have been constructed under the conditions of the 2017 Specific Plan and its associated SAA. No mitigation is required.

3.3.5.2 Operational Impacts

The Proposed Project would increase the number of vehicles traveling to the Project Site particularly on special event days at the amphitheater, which would happen up to 4 times per month. Additionally, the Proposed Project would add a hotel land use with an allowed height of 65 feet, which is 10 feet higher than allowed in the Approved Specific Plan. The potential for impacts to wildlife from increased vehicular traffic and taller buildings is contemplated in the context of wildlife corridors. Wildlife corridors are linear features through which wildlife move from one block of open space to another. CEQA requires an analysis of a Project's effects on wildlife movement.

According to the CVMSHCP, the property has not been determined to be a part of a biological corridor or linkage area between large blocks of undeveloped areas and therefore impacts to native species movement are considered less than significant. The Project area is highly urbanized and is expected to support primarily the wildlife species associated with urban and suburban environments. It should be noted that the updated CNDDB records search conducted in February 2022 did not identify any new species recorded in the vicinity of the site that were not addressed in a previous biology study or the SAA. These typical species that are likely to occur on the site are expected to be adapted to the urban setting, including traffic and commercial and industrial buildings. Further, the existing Project setting contains very busy arterial roads which are already subject to large traffic volumes and the increase in traffic resulting from the Project would not substantially add to the existing risk to wildlife.

Fields of developing energy resources such as wind, solar, and/or uses allowed within the light industrial designation within the City of Desert Hot Springs. As described within the IS/MND, the applicant desires to re-zone the use of Parcel 25 to Industrial Energy & Utilities (IE), to allow for private energy production and other industrial uses. Therefore, small-scale solar are a possible use associated with the parcel.

Small scale solar facilities like those that could occur on Parcel 25 or on rooftop of the hotel buildings are not generally associated with bird deaths. Bird deaths from the "lake effect" where birds associate the glare from solar equipment with water is associated with large-scale utility sized solar farms or with solar thermal facilities, neither of which are proposed for the Proposed Project. The Audubon Society states that small-scale solar, such as rooftop solar or community solar gardens are beneficial to birds because it replaces carbon-based energy sources which cause climate change that affects birds (Audubon Society 2017). Impacts to biological resources from operation of the Proposed Project would be less than significant or beneficial.

The proposed amphitheater use includes increased artificial lighting at night, which could affect nocturnal wildlife species and migratory birds that fly at night. The entire Specific Plan is subject to the City's requirements for outdoor lighting (Municipal Code 17.40.170) and glare (Municipal Code 17.40.140) These include specific requirements for shielding and filtering of outdoor lighting to "maintain ambient lighting levels as low as possible to enhance the City's community character and charm and maintain dark skies; provide for good visibility while maintaining minimum glare and spillage onto other properties or into the sky; and maintain safety, utility, security, and productivity while enhancing nighttime enjoyment of property and the night skies" and that "no glare incidental to any use shall be visible beyond any boundary line of the parcel." Chapter 8 of the Specific Plan's Design Guidelines contains additional site-specific requirements for exterior site lighting that remain in place with the Proposed Project, including specific lighting fixtures and intensities to ensure that City requirements are met. As part of the Proposed Project, lighting standards specific to the amphitheater use would be added to the Design Standards as follows:

- Using high-efficiency luminaries and bulbs, and maximizing user control, to minimize lighting energy demand

1. Lighting used to illuminate the amphitheater performance area must be either directed spotlighting or full cutoff lighting. If directed spotlighting is used, the light source must be located and designed such that it is not visible beyond property boundaries

2. Lighting used to illuminate the amphitheater performance area shall only be turned on during performances or rehearsals

3. Lighting used to illuminate the signage, seating areas, pathways and other areas of the amphitheater must meet all standards of the Specific Plan Design Guidelines and the City of Desert Hot Springs Municipal Code sections 17.40.140 and 17.40.170.

Therefore, impacts to biological resources related to night lighting are less than significant and no mitigation is required. The revised lighting standards have been provided as Mitigation Measure BR-7.

By request of the CDFW, a HMMP is under process of development to address measures related to long-term maintenance of the drainage course located along Indian Canyon Drive and all internal drainage and retention basins that were covered by the Project's Streambed Alteration Agreement. The HMMP contains requirements for implementation of habitat mitigation, maintenance, monitoring and reporting, and contingency measures should mitigation not be successful. This HMMP would offset all potential long-term impacts associated with maintenance of the Project's stormwater and drainage areas (Mitigation Measure BR-8).

3.3.5.3 Cumulative Impacts

Cumulative effects to biological resources could result from past, current, and reasonably foreseeable future developments within the region surrounding the Project Area. Development can degrade habitat and species diversity incrementally through contributing to fragmentation of species populations and habitats, through alterations in hydrologic regimes, through climate change, introduction of pesticides/herbicides, changes to fire regimes, changes in water quality, or changes in predator movement patterns. An accumulation of impacts over time can cause effects on biological resources that can be substantial if not mitigated in some manner. Development in the region is regulated by the General Plans of the incorporated cities and Riverside County, which incorporates the conservation requirements of the CVMSHCP, as described below.

The CVMSHCP is a regional planning effort whose express purpose is, in part, to moderate the effects of cumulative impacts of development on sensitive biological resources in the Coachella Valley. The CVMSHCP provides the regional guidance for preservation and conservation of plant and wildlife species within the Coachella Valley. The Project Site is not within or adjacent to a Conservation Area or wildlife corridor. The Proposed Project is consistent with the CVMSHCP and would not conflict with the provisions of the CVMSHCP, with the implementation of Mitigation Measures BR-1 through BR-6. The Anaerobic Digester Project and the remainder of the Specific Plan are also consistent with the CVMSHCP and would be less than significant with mitigation measures. Therefore, the Proposed Project would not substantially contribute to a cumulative impact to biological resources.

3.3.6 Mitigation Measures

As described in Sections 2.4.2 and 3.3.4, Mitigation Measures BR-1 through BR-3 were adopted with the Approved Specific Plan. After evaluation in this EIR and informal consultation with the CDFW during the

preparation of this EIR, Mitigation Measures BR-1 through BR-3 have been updated and replaced with Mitigation Measures BR-1 through BR-8, as listed below.

BR-1: Prior to construction and issuance of any grading permit, the City of Desert Hot Springs shall ensure compliance with the CVMSHCP and its associated Implementing Agreement and shall ensure that the payment of the CVMSHCP Local Development Mitigation Fee for the Proposed Project is remitted to the Coachella Valley Conservation Commission.

BR-2: Pre-construction burrowing owl surveys shall be conducted no less than 14 days prior to the start of onsite construction activities and within 24 hours prior to ground disturbance in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012 or most recent version). Pre-construction surveys shall be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation.* If the pre-construction surveys confirm occupied burrowing owl habitat, ground-disturbing activities within the vicinity of the burrow shall be immediately halted within a buffer established by a qualified biologist. CDFW shall be notified of positive burrowing owl survey results within 48 hours of detection. The qualified biologist shall coordinate with CDFW to develop avoidance and minimization measures to be approved by CDFW prior to commencing Project activities.

BR-3: Although the Project site is not expected to support desert tortoises, there is a limited possibility of a desert tortoise being present prior to ground disturbance activities if one can get in through one of the gates. For this reason, no more than 14 calendar days prior to the start of ground disturbance activities, the Project biologist shall conduct a pre-construction survey for desert tortoise in order to detect any vagrant desert tortoise that may have wandered onto the site. The survey will be performed as described in the USFWS *Desert Tortoise (Mojave Population) Field Manual* (USFWS 2009 or most recent version). Should desert tortoise presence be confirmed during the survey, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance, minimization, and mitigation measures.

During the active season (April to May and September to October), tortoises are expected to be above-ground or detectable within their burrows (i.e., not aestivating or hibernating). Individual tortoises located within the area proposed for ground-disturbance (including those within burrows) shall be allowed to move outside of the area on their own accord and no work may occur until the tortoise is out of harm's way. Any handling of tortoises for the purpose of relocation will be coordinated with CDFW and USFWS prior to handling them. During the inactive season for tortoises (November through March, June through August), individual tortoises are not expected to be above ground but may be aestivating or hibernating within their burrows. During this period, potential tortoise burrows identified in the pre-activity survey should be flagged by a qualified biologist. An appropriately sized non-disturbance buffer shall be established around each potential tortoise burrow by the qualified biologist who conducted the pre-activity survey.

BR-4: Although the Project site is not expected to support desert kit foxes, there is a limited possibility of a desert kit fox being present prior to ground disturbance activities if one can enter through one of the gates or over the fence. No more than 14 days prior to the beginning of ground disturbance during desert kit fox breeding season (December to February), a qualified biologist shall conduct a

pre-construction survey to determine if potential desert kit fox burrows/dens are present within the limits of construction. Pre-construction surveys should include 100 percent visual surveys of the limits of construction. If the pre-construction surveys confirm occupied desert kit fox presence, but no burrow, then the kit fox will be allowed to exit the site on its own accord. If an active burrow or den complex for kit fox is identified, then construction activities shall be immediately halted in the vicinity of the burrow/den, using a buffer determined by the qualified biologist, and the qualified biologist shall notify CDFW to develop avoidance, minimization, and mitigation measures for the burrow and the kit foxes that are present. No disturbance of active burrows/dens shall take place if juvenile kit fox are present and dependent on parental care, as determined by the Project biologist.

BR-5: To avoid impacts to nesting birds, any grubbing, vegetation removal, or ground-disturbing activity should occur outside peak breeding season (typically February 1 through September 1) to the extent possible. Regardless of the time of year, nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities, Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

BR-6: A qualified biologist shall conduct an education program for all construction personnel involved in earth-moving activities within 30 days of ground disturbing activities. The program shall consist of a presentation that includes a discussion of the biology of the habitats and the species that may be present on the site. The qualified biologist shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. The Employee Education Program should include, but not be limited to (1) best practices for managing waste and reducing activities that can lead to increased occurrences of opportunistic species and the impacts these species can have on wildlife in the area; (2) protected species that have the potential to occur on the Project site including, but not limited to, burrowing owl, desert tortoise, desert kit fox, Le Conte's thrasher, Coachella Valley fringe-toed lizard, flat-tailed horned lizard, Palm Springs pocket mouse, and nesting birds; (3) the importance of ensuring that no refuse or pollution is left within work areas during Project activities. Interpretation shall be provided for any non-English speaking workers and the same instruction shall be provided for any new workers prior to their performing any work on the site.

Workers will be notified to inform the Project biologist if there are any of the aforementioned biological resources observed within work areas that cannot leave on their own accord. The

biologist will relocate species as permitted. Note that listed species can be moved only with prior approval by CDFW and/or USFWS.

BR-7: The following lighting standards shall be included in the Specific Plan's Design Standards:

- Using high-efficiency luminaries and bulbs, and maximizing user control, to minimize lighting energy demand
  - Lighting used to illuminate the amphitheater performance area must be either directed spotlighting or full cutoff lighting. If directed spotlighting is used, the light source must be located and designed such that it is not visible beyond property boundaries
  - Lighting used to illuminate the amphitheater performance area shall only be turned on during performances or rehearsals
  - Lighting used to illuminate the signage, seating areas, pathways and other areas of the amphitheater must meet all standards of the Specific Plan Design Guidelines and the City of Desert Hot Springs Municipal Code sections 17.40.140 and 17.40.170.

BR-8: All requirements of the Specific Plan's Streambed Alteration Agreement, including the Habitat Mitigation and Monitoring Plan, shall be followed.

3.3.7 Residual Impacts After Mitigation

Impacts to biological resources are less than significant with Mitigation Measures BR-1 through BR-8.

3.4 Energy

An energy analysis was prepared for the proposed Coachillin' Specific Plan Amendment (Ganddini Group Inc. 2021a; Appendix C). This study is summarized below.

3.4.1 Environmental Setting

3.4.1.1 Electricity

SCE provides electricity services to the Project Area through state-regulated public utility contracts. SCE, the largest subsidiary of Edison International, is the primary electricity supply company for much of Southern California. It provides 15 million people with electricity across a service territory of approximately 50,000 square miles. SCE has met or exceeded all Renewable Portfolio Standard requirements to date, procuring renewable energy from diverse sources, including biomass, biowaste, geothermal, hydroelectric, solar and wind. This standard requires all California utilities to generate 33 percent of their electricity from renewables by 2020, 60 percent of their electricity from renewables by 2030, and 100 percent by 2045.

3.4.1.2 Natural Gas Services

The Southern California Gas Company provides natural gas services to the Project Area. As the nation's largest natural gas distribution utility, the Southern California Gas Company delivers natural gas energy to 21.6 million consumers through 5.9 million meter connections in more than 500 communities. The Southern California Gas Company's service territory encompasses approximately 20,000 square miles throughout central and southern California, from Visalia to the Mexican border.

3.4.1.3 Transportation Energy Resources

The Proposed Project would attract vehicle trips resulting in the consumption of energy resources, predominantly gasoline and diesel fuel. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the project customers and employees via offsite commercial outlets. A gasoline station is not part of the Proposed Project.

3.4.2 Regulatory Setting

Federal and state agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation, the United States Department of Energy, and the United States Environmental Protection Agency are three federal agencies with substantial influence over energy policies and programs. On the state level, the California Public Utilities Commission and the California Energy Commissions (CEC) are two agencies with authority over different aspects of energy. Relevant federal and state energy-related laws and plans are summarized below.

3.4.2.1 Federal

Corporate Average Fuel Economy (CAFE) Standards

The EPA and National Highway Traffic Safety Administration jointly administer CAFE standards, which reduces energy consumption by increasing fuel economy of cars and light trucks. Congress has specified

CAFE standards must be set at the "maximum feasible level" with consideration for (1) technological feasibility; (2) economic practicality; (3) effect of other standards for fuel economy; (4) need for the nation to conserve energy (Ganddini 2021a).

Issued in March 2020 by the NHTSA and EPA, and effective after June 29, 2020, the Safer Affordable Fuel-Efficient Vehicles Rule would maintain applicable CAFE and CO_2 standards applicable to model year 2020 vehicles through 2026 (Ganddini 2021a).

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

ISTEA promoted development of intermodal transportation systems to maximize mobility, as well as address national and local interests in air quality and energy. ISTEA incorporates factors that Metropolitan Planning Organizations (MPOs) were to address in the development of transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies to define the social, economic, energy, and environmental values guiding transportation decisions (Ganddini 2021a).

Transportation Equality Act for the 21st Century (TEA-21)

TEA-21 builds upon initiatives established in the ISTEA legislation discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficiency surface transportation programs, TEA-21 continues the program structure established under ISTEA for highways and transit, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation for good transportation decisions. TEA-21 also provides investment for research and its application to maximize performance of transportation systems to improve operation and management of transportation systems, and vehicle safety. (Ganddini 2021a).

3.4.2.2 State

Integrated Energy Policy Report (IEPR)

SB 1389 requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the State's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety. The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternative years as part of the IEPR (Ganddini 2021a).

The 2019 IEPR was adopted February 20, 2020 and continues to work towards improving energy use in California. The 2019 IEPR focuses on a variety of topics such as decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast (Ganddini 2021a).

State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access (Ganddini 2021a).

California Building Standards Code (Title 24)

CBC Title 24 pertains to energy efficiency standards governing construction and new development (Ganddini 2021a).

California Building Energy Efficiency Standards (Title 24, Part 6)

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were adopted to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current California Building Energy Efficiency Standards (Title 24 standards) are the 2016 Title 24 standards, which became effective on January 1, 2017. The 2016 Title 24 standards include efficiency improvements to the residential standards for attics, walls, water heating, and lighting and efficiency improvements to the non-residential standards include alignment with the American Society of Heating and Air-Conditioning Engineers (Ganddini 2021a).

CALGreen Code: California Building Energy Efficiency Standards (Title 24, Part 11)

The 2016 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, went into effect on January 1, 2017. The 2016 CALGreen Code includes mandatory measures for non-residential development related to site development; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. Most mandatory measure changes, when compared to the previously applicable 2013 CALGreen Code, were related to the definitions and to the clarification or addition of referenced manuals, handbooks, and standards. For example, several definitions related to energy that were added or revised affect electric vehicle (EV) chargers and charging and hot water recirculation systems. For new multi-family dwelling units, the residential mandatory measures were revised to provide additional EV charging requirements, including quantity, location, size, single EV space, multiple EV spaces, and identification. For nonresidential mandatory measures, the CALGreen table (Table 5.106.5.3.3) identifying the number of required EV charging spaces has been revised in its entirety (Ganddini 2021a).

Senate Bill (SB) 350

SB 350 was signed into law October 7, 2015, SB 350 increases California's renewable electricity procurement goal from 33 percent by 2020 to 50 percent by 2030. This will increase the use of Renewables Portfolio Standard (RPS) eligible resources, including solar, wind, biomass, geothermal, and others. In addition, SB 350 requires the state to double statewide energy efficiency savings in electricity

and natural gas end uses by 2030. To help ensure these goals are met and the greenhouse gas emission reductions are realized, large utilities will be required to develop and submit Integrated Resource Plans (IRPs). These IRPs will detail how each entity will meet their customers resource needs, reduce greenhouse gas emissions and ramp up the deployment of clean energy resources (Ganddini 2021a).

Assembly Bill 32

In 2006 the California State Legislature adopted Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 requires CARB, to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable statewide emission cap which will be phased in starting in 2012. Emission reductions shall include carbon sequestration projects that would remove carbon from the atmosphere and best management practices that are technologically feasible and cost effective (Ganddini 2021a).

Assembly Bill 1493/Pavley Regulations

California Assembly Bill 1493 enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. In 2005, the CARB submitted a waiver request to the EPA from a portion of the federal Clean Air Act in order to allow the State to set more stringent tailpipe emission standards for CO_2 and other GHG emissions from passenger vehicles and light duty trucks. On December 19, 2007 the EPA announced that it denied the waiver request. On January 21, 2009, CARB submitted a letter to the EPA administrator regarding the State's request to reconsider the waiver denial. The EPA approved the waiver on June 30, 2009 (Ganddini 2021a).

Executive Order S-1-07/Low Carbon Fuel Standard

Executive Order S-1-07 was issued in 2007 and proclaims that the transportation sector is the main source of GHG emissions in the State, since it generates more than 40 percent of the State's GHG emissions. It establishes a goal to reduce the carbon intensity of transportation fuels sold in the State by at least ten percent by 2020. This Order also directs CARB to determine whether this Low Carbon Fuel Standard (LCFS) could be adopted as a discrete early-action measure as part of the effort to meet the mandates in AB 32 (Ganddini 2021a).

On April 23, 2009 CARB approved the proposed regulation to implement the low carbon fuel standard. The low carbon fuel standard is anticipated to reduce GHG emissions by about 16 MMT per year by 2020. The low carbon fuel standard is designed to provide a framework that uses market mechanisms to spur the steady introduction of lower carbon fuels. The framework establishes performance standards that fuel producers and importers must meet each year beginning in 2011. Separate standards are established for gasoline and diesel fuels and the alternative fuels that can replace each. The standards are back-loaded, with more reductions required in the last five years, than during the first five years. This schedule allows for the development of advanced fuels that are lower in carbon than today's fuels and the market penetration of plug-in hybrid electric vehicles, battery electric vehicles, fuel cell vehicles, and flexible fuel vehicles. It is anticipated that compliance with the low carbon fuel standard will be based on a combination of both lower carbon fuels and more efficient vehicles (Ganddini 2021a).

Reformulated gasoline mixed with corn-derived ethanol at ten percent by volume and low sulfur diesel fuel represent the baseline fuels. Lower carbon fuels may be ethanol, biodiesel, renewable diesel, or blends of these fuels with gasoline or diesel as appropriate. Compressed natural gas and liquefied natural gas also may be low carbon fuels. Hydrogen and electricity, when used in fuel cells or electric vehicles are also considered as low carbon fuels for the low carbon fuel standard (Ganddini 2021a).

California Air Resource Board Programs

CARB's Advanced Clean Cars Program. Approved by CARB in 2012, and closely associated with the Pavley regulations, the Advanced Clean Cars emissions control program combines control of smog, soot, and GHGs with requirements for greater numbers of zero-emission vehicles (ZEVs) for model years 2015-2025. The components of the Advanced Clean Cars program include Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium duty vehicles, and ZEV regulation, requiring manufacturers to produce an increasing number of ZEVs, with provisions to also produce plug in hybrid electric vehicles (PHEV) in the 2018-2025 model years (Ganddini 2021a).

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. The Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, California Code of Regulations, Division 3, Chapter 10, Section 2435) was adopted to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. This section applies to diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. Reducing idling of diesel-fueled commercial motor vehicles reduces the amount of petroleum-based fuel used by the vehicle (Ganddini 2021a).

Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen, and other Criteria Pollutants, form In-Use Heavy-Duty Diesel-Fueled Vehicles. The Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles (Title 13, California Code of Regulations, Division 3, Chapter 1, Section 2025) was adopted to reduce emissions of diesel particulate matter, oxides of nitrogen (NO_X) and other criteria pollutants from in-use diesel-fueled vehicles. This regulation is phased, with full implementation by 2023. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. The newer emission-controlled models would use petroleum-based fuel in a more efficient manner (Ganddini 2021a).

Senate Bill (SB) 375: Sustainable Communities Strategy. The Sustainable Communities and Climate Protection Act of 2008, or Senate Bill 375 (SB 375), coordinates land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction mandates established in AB 32 (Ganddini 2021a).

Senate Bill 375 (SB 375) was adopted September 2008 and aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPO) to adopt a sustainable communities strategy (SCS) or alternate planning strategy (APS) that will prescribe land use allocation in that MPOs Regional

Transportation Plan (RTP). CARB, in consultation with each MPO, will provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets will be updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction strategies to achieve the targets. CARB is also charged with reviewing each MPO's sustainable communities' strategy or alternate planning strategy for consistency with its assigned targets (Ganddini 2021a).

The Proposed Project is located within the Southern California Association of Governments (SCAG) jurisdiction, which has authority to develop the SCS or APS. For the SCAG region, the targets set by CARB are at eight percent below 2005 per capita GHG emissions levels by 2020 and 19 percent below 2005 per capita GHG emissions levels by 2035. These reduction targets became effective October 2018 (Ganddini 2021a).

3.4.2.3 Local

The City of Desert Hot Springs General Plan includes the following goals and policies related to energy efficiency (City of Desert Hot Springs 2020a):

Goal LU-1. A balanced community with a mix of land uses that supports thriving businesses, complete and healthy neighborhoods, and a sustainable desert environment.

> Policy LU-1.4 Sustainability. Promote sustainable land uses and building practices that promote efficient energy use and resource sustainability.

Goal MI-11. Provide for a sustainable physical infrastructure to support a desirable quality of life.

> Policy MI-11.11 Reduce Energy. Implement regulations and provide incentives that require public and private developments to reduce energy use over the long term.
>
> Policy MI-11.12 Energy Efficiency. Encourage energy-efficient design of all new projects (public and private), including appropriate structure orientation and the use of shade trees to maximize cooling and reduce fossil fuel consumption for heating and cooling.

Goal OS-4. Increased energy efficiency and conservation.

> Policy OS-4.1 Energy Conservation. Seek to incorporate energy conservation measures into new development projects.
>
> Policy OS-4.3 Rooftop Solar Projects. Streamline solar panel permits for small-scale residential and commercial business rooftop projects by removing discretionary planning permits or allowing approval over the counter.
>
> Policy OS-4.4 Solar Energy Systems. Encourage the use of solar energy systems or any other technologies that similarly reduce the use of power from the grid in residential and commercial uses.
>
> Policy OS-4.5 Solar Farms. Allow solar energy farms that minimize disturbing the desert environment.

Policy OS-4.7 Alternative Electricity Options. Continue to explore, assist, and encourage alternative electricity options such as wind or small-scale solar energy facilities.

Goal OS-6. Sustainable development approaches.

Policy OS-6.1 Sustainable Construction. Encourage sustainable construction practices and the use of energy-saving technology within buildings. Consider establishing a green building program that draws from the LEED (Leadership in Energy & Environmental Design) standards.

Policy OS-6.2 Green Building. Require LEED or similar building efficiency certifications for all new public facilities and buildings. Encourage similar green building certifications for private development projects.

3.4.3 Methodology

Information from the CalEEMod daily and annual outputs, used for the air quality and greenhouse gas analyses in this EIR (Sections 3.2 and 3.5), were also used for the analysis. The CalEEMod program analyzes project related construction equipment, construction and operation transportation energy demands, and facility operation energy demands. Additional detail regarding the CalEEMod program is provided in Sections 3.2.3, 3.5.3, and Appendix C. Model outputs are provided in Appendix C.

3.4.4 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. For purposes of this EIR, implementation of the project would be considered to have a significant adverse impact on energy resources if it would:

- Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

3.4.5 Environmental Impacts

3.4.5.1 Construction Impacts

Construction of the Proposed Project is anticipated to last one year and be completed in one phase. In general, energy consumption for construction of the Proposed Project would be similar to the Approved Project, because similar equipment would be used over a similar amount of time.

Construction Equipment Electricity Usage Estimates

SCE would provide electrical service to the project site during construction. Energy consumption associated with the Proposed Project was estimated using a typical power cost per 1,000 square feet of building construction per month of $2.32 (Ganddini Group 2021a). The Proposed Project would develop a 175-room hotel, an amphitheater, and a parking lot/solar carport over the course of approximately 12 months. As estimated the total power cost of the onsite electricity usage during construction of the Proposed Project would be approximately $5,905.56. Based on SCE's General Service Rate (GS-1) of $0.14

per kilowatt hour of electricity, the total electricity demand from the Proposed Project's construction would be 43,236 kilowatt hours.

Construction Equipment Fuel Estimates

Fuel consumption by construction equipment is anticipated to be the primary energy source expended during project construction. Table 3.4-1 shows the construction fuel consumption estimates for the Proposed Project (Ganddini 2021a).

Table 3.4-1. Construction Equipment Fuel Consumption Estimates

Phase	Number of Days	Off-Road Equipment Type	Amount	Usage Hours	Horse Power	Load Factor	HP hrs/day	Total Fuel Consumption (gallons diesel fuel)
Grading	30	Excavators	2	8	158	0.38	961	1,558
	30	Graders	1	8	187	0.41	613	995
	30	Rubber Tired Dozers	1	8	247	0.4	790	1,282
	30	Scrapers	2	8	367	0.48	2,819	4,571
	30	Tractors/ Loaders/ Backhoes	2	8	97	0.37	574	931
Building Construction	220	Cranes	1	7	231	0.29	469	5,576
	220	Forklifts	4	8	89	0.2	570	6,774
	220	Generator Sets	1	8	84	0.74	497	5,914
	220	Tractors/ Loaders/ Backhoes	5	7	97	0.37	1,256	14,938
	220	Welders	1	8	46	0.45	166	1,969
Paving	20	Pavers	2	8	130	0.42	874	944
	20	Paving Equipment	2	8	132	0.36	760	822
	20	Rollers	2	8	80	0.38	486	526
Architectural Coating	25	Air Compressors	1	6	78	0.48	225	304
Construction Fuel Demand (gallons of diesel fuel)								47,103

Source: Ganddini Group, Inc. 2021a

Construction Worker Fuel Estimates

Data regarding project-related construction worker trips were based on CalEEMod 2020.4.0 model defaults. Construction worker trips were assumed from light duty autos along area roadways. Additionally, vehicle fuel efficiencies were estimated using the CARB EMFAC model. Based on this model, aggregate fuel efficiency of 26.4 miles per gallon (mpg) was used to calculate vehicle miles traveled for construction worker trips. It is anticipated that construction worker trips would generate 690,525 VMT as a result of the Proposed Project. Table 3.4-2 shows an estimated 26,174 gallons of fuel would be consumed for construction worker trips.

Table 3.4-2. Construction Fuel Consumption Estimates (Light Duty Vehicles)

Phase	Number of Days	Worker Trips/Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Grading	30	20	11	6,600	26.4	250
Building Construction	220	275	11	665,500	26.4	25,225
Paving	20	15	11	3,300	26.4	125
Architectural Coating	25	55	11	15,125	26.4	573
Total Construction Worker Fuel Consumption						26,174

Source: Ganddini Group, Inc. 2021a

Note: Assumptions for the worker trip length and vehicle miles traveled are consistent with CalEEMod 2020.4.0 defaults.

Construction Vendor/Hauling Fuel Estimates

Vendor and hauling trips were estimated to generate approximate 127,116 VMT. It was assumed that contractors would be responsible for bringing coatings and equipment associated with architectural coatings with them in their light duty trucks. Additionally, vendors delivering construction material or hauling debris form the site during grading were assumed to use medium to heavy duty vehicles with average fuel consumption of 7.59 mpg. As shown in Tables 3.4-3, approximately 18,888 gallons of fuel would be consumed from vendor and hauling trips in medium/heavy duty trucks.

Table 3.4-3. Construction Vendor Fuel Consumption Estimates (Medium/Heavy Duty Trucks)

Phase	Number of Days	Vendor Trips/Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Grading	30	0	5.4	0	6.7	0
Building Construction	220	107	5.4	127,116	6.7	18,888

Table 3.4-3. Construction Vendor Fuel Consumption Estimates (Medium/Heavy Duty Trucks)

Phase	Number of Days	Vendor Trips/Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Paving	20	0	5.4	0	6.7	0
Architectural Coating	25	0	5.4	0	6.7	0
Total Construction Worker Fuel Consumption						18,888

Source: Ganddini Group, Inc. 2021a
Note: Assumptions for the worker trip length and vehicle miles traveled are consistent with CalEEMod 2020.4.0 defaults.

Construction Energy Efficiency/Conservation Measures

Construction equipment proposed for the 12-month construction phase of the Proposed Project would adhere to CARB regulations and California emissions standards related to fuel efficiency. Specifically, the Proposed Project would require construction contractors to comply with applicable CARB regulations requiring the retrofitting, repowering, or replacement of diesel off-road construction equipment. The Proposed Project would also adhere to the Airborne Toxic Control Measure implemented by CARB and the California Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(3) idling, with the intent to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants and minimizing unnecessary ad wasteful consumption of fuel. Therefore, construction of the Proposed Project would not result in the inefficient wasteful, or unnecessary consumption of fuel. A less than significant impact would occur.

3.4.5.2 Operational Impacts

Operational energy demands associated with the Proposed Project would include energy consumed by employee and patron vehicles, building operations, and maintenance activities. As compared to the previously-approved cannabis uses, energy consumed by light vehicles would be higher, because additional patron vehicles would travel to the site. However, energy consumed by medium to heavy trucks and building operations would be lower because cannabis manufacturing uses have higher demand for these energy sources. Additionally, the proposed renewable energy use on Parcel 25 associated with the solar carports would reduce energy demand for the Proposed Project in comparison to the previously-proposed traditional electric substation on the site. SCE has told the developer that their existing Garnet substation would be sufficient for the power demand. However, details regarding the capacity of the proposed solar carports have not been developed and this reduction is not reflected in this analysis.

Using the CalEEMod outputs from the air quality and greenhouse gas analyses prepared for the Proposed Project, it is assumed that an average trip for autos and light trucks was assumed to be 12.5 miles and 3- to 4-axle trucks were assumed to travel an average of 5.4 miles. The Proposed Project would generate approximately 3,933 trips per day on a Saturday with an amphitheater event. To provide a worst-case

analysis of fuel consumption, it was assumed that the amphitheater event VMT would occur 365 days per year.

Table 3.4-4 presents the estimated annual fuel consumption for all classes of vehicles (autos to heavy-heavy trucks). As shown in Table 3.4-4, approximately 621,623 gallons of fuel would be consumed per year during operation of the Proposed Project.

The Proposed Project's trip generation and associated vehicle miles traveled was estimated in a Project-specific Traffic Impact Analysis, and is consistent with other similar hotel and amphitheater uses of similar scale and configuration (see Table 3.7.2 in Section 3.7 and Appendix E). The Proposed Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips. The State of California consumed approximately 4.2 billion gallons of diesel and 15.1 billion gallons of gasoline in 2015 (Appendix C). There for the increase in fuel consumption from the Proposed Project is less than significant in comparison to the State's demand. Therefore, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Table 3.4-4. Estimated Vehicle Operations Fuel Consumption

Vehicle Type	Vehicle Type	Number of Vehicles	Average Trip (miles)[1]	Daily VMT	Average Fuel Economy (mpg)	Total Gallons per Day	Total Annual Fuel Consumption (gallons)[2]
Light Auto	Automobile	2,225	12.5	27,813	29.76	934.56	341,114
Light Truck	Automobile	221	12.5	2,763	28.21	97.93	35,753
Light Truck	Automobile	679	12.5	8,488	23.05	368.22	134,401
Medium Truck	Automobile	555	5.4	2,997	19.28	155.45	56,738
Light Heavy Truck	2-Axle Truck	105	5.4	567	14.37	39.46	14,402
Light Heavy Truck 10,000 lbs +	2-Axle Truck	29	5.4	157	17.53	8.93	3,261
Medium Heavy Truck	3-Axle Truck	45	5.4	243	7.69	31.60	11,534
Heavy Heavy Truck	4-Axle Truck	74	5.4	400	5.97	66.93	24,431
Total		3,933	--	43,216	18.23	1,703.08	--
Total Annual Fuel Consumption							621,623

Source: Ganddini Group, Inc. 2021a
Note: [1]Based on the size of the site and relative location, trips were assumed to be local rather than regional.
[2]Assumes that amphitheater events would occur 365 days per year.

Natural gas and electricity demand from building operations and site maintenance are presented in Table 3.4-5. The Proposed Project's natural gas consumption is estimated to be approximately 10,927,500 Kbtu per year. In comparison, the non-residential sector of the County of Riverside consumed approximately 135 million therms of natural gas. The Proposed Project's estimated electricity demand is approximately 3,279,503 kilowatt hours per year. In 2020, the non-residential sector of Riverside County consumed approximately 8,015 million kilowatt hours of electricity. Therefore, the increase in both electricity and natural gas demand from the Proposed Project would be less than significant compared to the County's 2020 non-residential sector demand (Appendix C).

Table 3.4-5. Project Annual Operational Energy Demand Summary

Natural Gas Demand	Kbtu/year
Hotel Use	2,008,500
Amphitheater	8,919,000
Total	10,927,500
Electricity Demand	**kWh/year**
Hotel Use	2,617,000
Amphitheater	616,280
Parking Lot	1,400
Parking Lot	44,823
Total	3,279,503

Source: Ganddini Group, Inc. 2021a

Renewable Energy and Energy Efficiency Plan Consistency

The Project Site is located in an area planned for development and would not interfere with, nor otherwise obstruct plans such as the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The ISTEA requires Metropolitan Planning Organizations to adopt policies defining the social, economic, energy, and environmental values guiding transportation decisions.

The Proposed Project would comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by SCE and Southern California Gas Company. Additionally, the proposed solar carports on Parcel 25 would reduce the energy demand for the Proposed Project.

Regarding the State's Renewable Energy Portfolio Standards, the Proposed Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CalGreen). CalGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The Approved Specific Plan's Green Building and Energy Efficiency Plan (Section 5.7 of the Specific Plan) would apply to the Proposed Project and would continue to apply to other uses within the Specific Plan. These requirements include solar on covered carports and building rooftops, wind turbines, vermiculture, solar water heating systems, and passive solar design strategies. A less than significant impact would occur.

3.4.5.3 Cumulative Impacts

Construction and operation of the Proposed Project would not result in the inefficient, wasteful or unnecessary consumption of energy. Further, the energy demands of the Proposed Project can be accommodated within the context of available resources and energy delivery systems. The Proposed Project would therefore not result in the need for additional energy producing or transmission facilities. Additionally, the Proposed Project would not result in long-term impacts on SCE of SoCal Gas future energy development or future energy conservation strategies.

As shown in Tables 3.5-1 and 3.5-2 in Section 3.5.4.1, the Proposed Project would have lower energy demands than indoor cannabis cultivation, which was the previously-analyzed land use for Parcels 30 and 31. The shuttle service during amphitheater events (Mitigation Measure AQ-3) would reduce fuel consumption from passenger cars from the worst-case scenario shown in Table 3.4-4. Reductions in fuel consumption would also reduce the Project's greenhouse gas emissions, as described in Section 3.5.5.3. The proposed parking lot on Parcel 25 would add additional alternative energy generation to the site through solar carports. The Proposed Project would use the same types of construction equipment over a similar duration as the Approved Specific Plan. Therefore, the Proposed Project would result in a reduction of energy use as compared to the Approved Specific Plan. The Anaerobic Digester would have a net positive energy condition because it would be a new source of renewable energy. Therefore, cumulative energy impacts would be beneficial.

3.4.6 Mitigation Measures

Because a significant impact has not been identified, no mitigation measures are required.

3.4.7 Residual Impacts After Mitigation

Impacts to energy are less than significant and no mitigation measures are required.

3.5 Greenhouse Gas Emissions

A greenhouse gas analysis was prepared for the Proposed Project (Ganddini Group Inc. 2021a; Appendix C). This study is summarized below.

3.5.1 Environmental Setting

Atmospheric greenhouse gases (GHGs) play a critical role in the Earth's radiation by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. This process is known as the greenhouse effect and is responsible for maintaining a habitable climate. GHGs contributing to this process include carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). Anthropogenic (originating from human activity) emissions of GHGs 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. GHG emissions that contribute to global warming can be attributed to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses. Additionally, transportation is responsible for approximately 41 percent of California's GHG emissions, followed by electricity generation. Emissions of CO_2 and NO_x are byproducts of fossil fuel combustion. CH_4, a potent greenhouse gas, results from off-gassing associated with agricultural practices and landfills. Sinks of CO_2, where CO_2 is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean.

3.5.2 Regulatory Setting

3.5.2.1 International

Montreal Protocol

In 1988, the Intergovernmental Panel on Climate Change (IPCC) was formed by the United Nations to evaluate the impacts of global climate change and to develop strategies that could be implemented to curtail global climate change. In 1992, The United States joined with other countries by signing the United Nations Framework Convention on Climate Change (UNFCCC) agreement with the goal of controlling GHG emissions. As a result, the Climate Change Action Plan was developed to address the reduction of GHGs in the United States (Ganddini 2021a).

Signed in 1987, the Montreal Protocol was substantially amended in 1990 and 1992. It stipulates that the production and consumption of compounds that deplete ozone in the stratosphere-CFCs, halons, carbon tetrachloride, and methyl chloroform-were to have a scheduled timeline to phase out the first three by the year 2000 and methyl chloroform by 2005 (Ganddini 2021a).

The Paris Agreement

The Paris Agreement became effective on November 4, 2016. Thirty days after this date at least 55 Parties to the United Nations Framework Convention on Climate Change (Convention), accounting in total for at least an estimated 55 percent of total global greenhouse gas emissions, signed the agreement. The Paris Agreement built upon the Convention and attempted to bring all nations into a common cause to undertake ambitions efforts to combat climate change and adapt to its effects, with enhanced support

allowing developing countries to do so (Ganddini 2021a). The central aim of the agreement is to strengthen the global response towards the threat of climate change by keeping a global temperature this century well below 2 degrees Celsius above pre-industrial levels and to further pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius.

3.5.2.2 Federal

Clean Air Act

In Massachusetts v. Environmental Protection Agency (Docket No. 05-1120), the U.S. Supreme Court set the precedent upholding that the USEPA has statutory authority to regulate GHG emissions under Section 202 of the federal Clean Air Act (CAA). However, the court did not hold that the USEPA is required to regulate GHG emissions, instead they indicated the agency must decide whether GHGs cause or contribute to air pollution that is reasonably anticipated to endanger public health or welfare. On December 7, 2009, the USEPA Administrator signed two distinct findings regarding GHGs under Section 202(a) of the CAA. The USEPA adopted a Final Endangerment Finding for the six defined GHGs (CO_2, methane [CH_4], nitrous oxide [N_2O], hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF_6]) on December 7, 2009. The Endangerment Finding is required before USEPA can regulate GHG emissions under Section 202(a)(1) of the CAA consistently with the United States Supreme Court decision. The USEPA also adopted a Cause or Contribute Finding in which the USEPA Administrator found that GHG emissions from new motor vehicle and motor vehicle engines are contributing to air pollution, which is endangering public health and welfare. These findings do not, by themselves, impose any requirements on industry or other entities. However, these actions are a prerequisite for implementing GHG emission standards for vehicles (Ganddini 2021a).

Energy Independence Security Act of 2007 (EISA)

The EISA facilitates the reduction of national GHG emissions by the following regulations:

- Increasing the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard (RFS) that requires fuel producers to use at least 36 billion gallons of biofuel in 2022;
- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances;
- Requiring approximately 25 percent greater efficiency for light bulbs by phasing out incandescent light bulbs between 2012 and 2014; requiring approximately 200 percent greater efficiency for light bulbs, or similar energy savings, by 2020; and
- While superseded by the USEPA and NHTSA actions described above, (i) establishing miles per gallon targets for cars and light trucks and (ii) directing the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for trucks.

Additional provisions of EISA address energy savings in government and institutions, promote research for alternative energy, additional research in carbon capture, international energy programs, and the creation of green jobs (Ganddini 2021a).

Executive Order 13432

EO 13432 was signed on May 14, 2007 in response to the *Massachusetts v. USEPA* ruling directing the USEPA as well as the Department of Transportation, Energy, and Agriculture, to initiate a regulatory process that responds to the Supreme Court's ruling. EO was codified into law by the 2009 Omnibus Appropriations Law signed on February 17, 2009. The order established goals in areas of energy efficiency, acquisition, renewable energy, toxin reductions, recycling, sustainable buildings, electronic stewardship, fleets, and water conservation (Ganddini 2021a).

On May 19, 2009, President Obama announced a national policy for fuel efficiency and emissions standards in the United States auto industry. The adopted federal standard applies to passenger cars and light duty trucks for model years 2012 through 2016. The rule surpasses prior CAFE standards and requires increased average fuel economy and reduced CO2 tailpipe emissions based on USEPA calculation methods. These standards were formally adopted on April 1, 2010. In August 2012, standards were adopted for model year 2017 through 2025 for passenger cars and light duty trucks. By 2025, vehicles are required to achieve 54.5 mpg (if GHG reductions are achieved exclusively through fuel economy improvements) and 163 grams of CO2 per mile. According to the USEPA, a model year 2025 vehicle would emit one-half of the GHG emissions from a model year 2010 vehicle. In 2017, the USEPA recommended no change to the GHG standards for light-duty vehicles model years 2022-2025 (Ganddini 2021a).

The USEPA and NHTSA proposed the Safer Affordable Fuel-Efficient Vehicles Rule that would, if adopted, maintain the CAFE and CO_2 standards applicable in model year 2020 for model years 2021 through 2026. The estimated CAFE and CO_2 standards for model year 2020 are 43.7 mpg and 204 grams of CO_2 per mile for passenger cars and 31.3 mpg and 284 grams of CO_2 per mile for light trucks, projecting an overall industry average of 37mpg, as compared to 46.7mpg rate issued under the standards set in 2012. If adopted the proposal would also exclude CO_2 equivalent emission improvements associated with air conditioning refrigerants and leakage (and, optionally, offsets for nitrous oxide and methane emissions) after model year 2020 (Ganddini 2021a).

On May 12, 2021, the National Highway Traffic Safety Administration (NHTSA) published a notice of proposed rulemaking in the Federal Register, proposing to repeal *The Safer Fuel-Efficient (SAFE) Vehicle Rule Part One: One National Program*, published September 27, 2019 (SAFE I Rule), in which NHTSA codified regulatory text and made additional pronouncements regarding the preemption of state and local laws related to fuel economy standards. Specifically, this document proposes to fully repeal the regulatory text and appendices promulgated in the SAFE I Rule. In addition, this document proposes to repeal and withdrawal the interpretive statements made by the Agency in the SAFE I Rule preamble, including those regarding the preemption of particular state GHG Emissions standards or Zero Emissions Vehicle (ZEV) mandates. As such, this document proposes to establish a clean state with respect to NHTSA's regulations and interpretations concerning preemption under the Energy Policy and Conservation Act (EPCA) (Ganddini 2021a).

3.5.2.3 State

California Air Resources Board Programs

CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, CARB conducts research, sets state ambient air quality standards (California Ambient Air Quality Standards [CAAQS]), compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions (Ganddini 2021a).

In 2004, the CARB adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants (Title 13 California Code of Regulations [CCR], Section 2485). The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings greater than 10,000 pounds that are licensed to operate on highways, regardless of where they are registered. This measure generally does not allow diesel-fueled commercial vehicles to idle for more than 5 minutes at any given location with certain exemptions for equipment in which idling is a necessary function such as concrete trucks. While this measure primarily targets diesel particulate matter emissions, it has co-benefits of minimizing GHG emissions from unnecessary truck idling (Ganddini 2021a).

In 2008, CARB approved the Truck and Bus regulation to reduce particulate matter and nitrogen oxide emissions from existing diesel vehicles operating in California (13 CCR, Section 2025, subsection (h)). CARB has also promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower such as bulldozers, loaders, backhoes and forklifts, as well as many other self-propelled off-road diesel vehicles. The regulation, adopted by the CARB on July 26, 2007, aims to reduce emissions by installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. While these regulations primarily target reductions in criteria air pollutant emission, they have co-benefits of minimizing GHG emissions due to improved engine efficiencies (Ganddini 2021a).

The State currently has no regulations that establish ambient air quality standards for GHGs (Ganddini 2021a). However, the State has passed laws directing CARB to develop actions to reduce GHG emissions, which are listed below.

Assembly Bill 1493/Pavley Regulations

California Assembly Bill 1493 enacted on July 22, 2002, required the CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. This regulation is described in more detail in Section 3.4.2.2 (Ganddini 2021a).

Executive Order S-3-05

The California Governor issued Executive Order S-3-05, GHG Emission, in June 2005, which established the following reduction targets:

- 2010: Reduce greenhouse gas emissions to 2000 levels
- 2020: Reduce greenhouse gas emissions to 1990 levels
- 2050: Reduce greenhouse gas emissions to 80 percent below 1990 levels.

The Executive Order directed the secretary of CalEPA to coordinate a multi-agency effort to reduce GHG emissions to the target levels. To comply with the Executive Order, the secretary of CalEPA created the California Climate Action Team (CAT), made up of members from various state agencies and commissions. The team released its first report in March 2006. The report proposed to achieve the targets by building on the voluntary actions of businesses, local governments, and communities and through State incentive and regulatory programs (Ganddini 2021a).

Assembly Bill 32 (California Health and Safety Code, Division 25.5 – California Global Warming Solutions Act of 2006)

In 2006, the California State Legislature adopted AB 32 (codified in the California Health and Safety Code [HSC], Division 25.5 – California Global Warming Solutions Act of 2006), which focuses on reducing GHG emissions in California to 1990 levels by 2020. HSC Division 25.5 defines GHGs as CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6 and represents the first enforceable statewide program to limit emissions of these GHGs from all major industries with penalties for noncompliance. The law further requires that reduction measures be technologically feasible and cost effective. Under HSC Division 25.5, CARB has the primary responsibility for reducing GHG emissions. CARB is required to adopt rules and regulations directing state actions that would achieve GHG emissions reductions equivalent to 1990 statewide levels by 2020 (Ganddini 2021a).

Senate Bill 32 and Assembly Bill 197

In 2016, the California State Legislature adopted SB 32 and its companion bill AB 197, and both were signed by Governor Brown. SB 32 and AB 197 amends HSC Division 25.5 and establishes a new climate pollution reduction target of 40 percent below 1990 levels by 2030 and includes provisions to ensure the benefits of state climate policies reach into disadvantaged communities (Ganddini 2021a).

Climate Change Scoping Plan (2008)

A specific requirement of AB 32 was to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020 (Health and Safety Code section 38561 (h)). CARB developed an AB 32 Scoping Plan that contains strategies to achieve the 2020 emissions cap. The initial Scoping Plan was approved in 2008 and contains a mix of recommended strategies that combined direct regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs calculated to meet the 2020 statewide GHG emission limit and initiate the transformations needed to achieve the State's long-range climate objectives (Ganddini 2021a).

As required by HSC Division 25.5, CARB approved the 1990 GHG emissions inventory, thereby establishing the emissions limit for 2020. The 2020 emissions limit was originally set at 427 $MMTCO_2e$ using the GWP values from the IPCC SAR. CARB also projected the state's 2020 GHG emissions under no-action-taken (NAT) conditions – that is, emissions that would occur without any plans, policies, or regulations to reduce

GHG emissions. CARB originally used an average of the state's GHG emissions from 2002 through 2004 and projected the 2020 levels at approximately 596 $MMTCO_2e$ (using GWP values from the IPCC SAR). Therefore, under the original projections, the state must reduce its 2020 NAT emissions by 28.4 percent in order to meet the 1990 target of 427 $MMTCO_2e$ (Ganddini 2021a).

First Update to the Climate Change Scoping Plan (2014)

The First Update to the Scoping Plan was approved by CARB in May 2014 and builds upon the initial Scoping Plan with new strategies and recommendations. In 2014, CARB revised the target using the GWP values from the IPCC AR4 and determined that the 1990 GHG emissions inventory and 2020 GHG emissions limit is 431 $MMTCO_2e$. CARB also updated the State's 2020 NAT emissions estimate to account for the effect of the 2007–2009 economic recession, new estimates for future fuel and energy demand, and the reductions required by regulation that were recently adopted for motor vehicles and renewable energy. CARB's projected statewide 2020 emissions estimate using the GWP values from the IPCC AR4 is 509.4 $MMTCO_2e$ (Ganddini 2021a).

2017 Climate Change Scoping Plan

In response to the 2030 GHG reduction target, CARB adopted the 2017 Climate Change Scoping Plan at a public meeting held in December 2017. The 2017 Scoping Plan outlines the strategies the State will implement to achieve the 2030 GHG reduction target of 40 percent below 1990 levels. The 2017 Scoping Plan also addresses GHG emissions from natural and working lands of California, including the agriculture and forestry sectors. The 2017 Scoping Plan considered the Scoping Plan Scenario and four alternatives for achieving the required GHG reductions but ultimately selected the Scoping Plan Scenario (Ganddini 2021a).

CARB states that the Scoping Plan Scenario "is the best choice to achieve the State's climate and clean air goals." Under the Scoping Plan Scenario, most of the reductions would result from the continuation of the Cap-and-Trade regulation. Additional reductions are achieved from electricity sector standards (i.e., utility providers to supply at least 50 percent renewable electricity by 2030), doubling the energy efficiency savings at end uses, additional reductions from the LCFS, implementing the short-lived GHG strategy (e.g., hydrofluorocarbons), and implementing the mobile source strategy and sustainable freight action plan. The alternatives were designed to consider various combinations of these programs, as well as consideration of a carbon tax in the event the Cap-and-Trade regulation is not continued. However, in July 2017, the California Legislature voted to extend the Cap-and-Trade regulation to 2030. Implementing this Scoping Plan will ensure that California's climate actions continue to promote innovation, drive the generation of new jobs, and achieve continued reductions of smog and air toxics (Ganddini 2021a). The ambitious approach draws on a decade of successful programs that address the major sources of climate-changing gases in every sector of the economy:

- More Clean Cars and Trucks: The plan sets out far-reaching programs to incentivize the sale of millions of zero-emission vehicles, drive the deployment of zero-emission trucks, and shift to a cleaner system of handling freight statewide.

- Increased Renewable Energy: California's electric utilities are ahead of schedule meeting the requirement that 33 percent of electricity come from renewable sources by 2020. The Scoping Plan guides utilities to 50 percent renewables, as required under SB 350.
- Slashing Super-Pollutants: The plan calls for a significant cut in super-pollutants such as methane and HFC refrigerants, which are responsible for as much as 40 percent of global warming.
- Cleaner Industry and Electricity: California's renewed cap-and-trade program extends the declining cap on emissions from utilities and industries and the carbon allowance auctions. The auctions will continue to fund investments in clean energy and efficiency, particularly in disadvantaged communities.
- Cleaner Fuels: The Low Carbon Fuel Standard will drive further development of cleaner, renewable transportation fuels to replace fossil fuels.
- Smart Community Planning: Local communities will continue developing plans which will further link transportation and housing policies to create sustainable communities.
- Improved Agriculture and Forests: The Scoping Plan also outlines innovative programs to account for and reduce emissions from agriculture, as well as forests and other natural lands.

The 2017 Scoping Plan also evaluates reductions of smog-causing pollutants through California's climate programs (Ganddini 2021a).

SB 32, Pavley. California Global Warming Solutions Act of 2006

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. This bill would require the state board to ensure that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by 2030 (Ganddini 2021a).

Senate Bill 1368

Adopted September 2006, SB 1368 is the companion bill of AB 32. SB 1368 requires the CPUC to establish a performance standard for baseload generation of GHG emissions by investor-owned utilities by February 1, 2007, and for local publicly owned utilities by June 30, 2007. These standards could not exceed the GHG emissions rate from a baseload combined-cycle, natural gas-fired plant. Furthermore, the legislation states that all electricity provided to the State, including imported electricity, must be generated by plants that meet the standards set by CPUC and CEC (Ganddini 2021a).

Executive Order S-1-07/Low Carbon Fuel Standard

EO S-1-07 was issued in 2007 and proclaims that the transportation sector is the main source of GHG emissions in the State, since it generates more than 40 percent of the State's GHG emissions. It establishes

a goal to reduce the carbon intensity of transportation fuels sold in the State by at least ten percent by 2020. This Order also directs the CARB to determine whether this Low Carbon Fuel Standard (LCFS) could be adopted as a discrete early-action measure as part of the effort to meet the mandates in AB 32. Additional information on EO S-1-07 is found in Section 3.4.2.2 (Ganddini 2021a).

Senate Bill 97

SB 97 was adopted August 2007 and acknowledges that climate change is a prominent environmental issue that requires analysis under CEQA. SB 97 directed the Governor's Office of Planning and Research (OPR), which is part of the State Natural Resources Agency, to prepare, develop, and transmit to the CARB guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA, by July 1, 2009. The Natural Resources Agency was required to certify and adopt those guidelines by January 1, 2010 (Ganddini 2021a).

Pursuant to the requirements of SB 97 as stated above, on December 30, 2009, the Natural Resources Agency adopted amendments to the state CEQA guidelines that address GHG emissions. The CEQA Guidelines Amendments changed 14 sections of the CEQA Guidelines and incorporate GHG language throughout the Guidelines. However, no GHG emissions thresholds of significance were provided, and no specific mitigation measures were identified.

Senate Bill 100

SB 100 requires 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. SB 100 was adopted September 2018 (Ganddini 2021a).

The interim thresholds from prior Senate Bills and Executive Orders would also remain in effect. These include SB 1078, which requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 which changed the target date to 2010. Executive Order S-14-08, which was signed on November 2008 and expanded the State's Renewable Energy Standard to 33 percent renewable energy by 2020. Executive Order S-21-09 directed the CARB to adopt regulations by July 31, 2010 to enforce S-14-08. Senate Bill X1-2 codifies the 33 percent renewable energy requirement by 2020 (Ganddini 2021a).

Senate Bill 375

SB 375 was adopted September 2008 and aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. Additional information on SB 375 is found in Section 3.4.2.2 (Ganddini 2021a).

Senate Bill X7-7

SB X7-7, enacted on November 9, 2009, mandates water conservation targets and efficiency improvements for urban and agricultural water suppliers. SB X7-7 requires the Department of Water Resources (DWR) to develop a task force and technical panel to develop alternative best management practices for the water sector. In addition, SB X7-7 required the DWR to develop criteria for baseline uses for residential, commercial, and industrial uses for both indoor and landscaped area uses. The DWR was

also required to develop targets and regulations that achieve a statewide 20 percent reduction in water usage (Ganddini 2021a).

Assembly Bill 939 and Senate Bill 1374

AB 939 requires that each jurisdiction in California to divert at least 50 percent of its waste away from landfills, whether through waste reduction, recycling or other means. SB 1374 requires the California Integrated Waste Management Board to adopt a model ordinance by March 1, 2004, suitable for adoption by any local agency to require 50 to 75 percent diversion of construction and demolition of waste materials from landfills (Ganddini 2021a).

California Building Energy Efficiency Standards

CCR Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Although it was not originally intended to reduce GHG emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions. Additional information on the California Building Energy Efficiency Standards is found in Section 3.4.2.2 (Ganddini 2021a).

CALGreen Code: California Building Energy Efficiency Standards

CCR Title 24, Part 11, commonly referred to as the CALGreen Code, includes mandatory measures for non-residential development related to site development, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. Additional information on the CALGreen Code is found in Section 3.4.2.2 (Ganddini 2021a).

Executive Order B-30-15

On April 29, 2015, Governor Brown issued EO B-30-15 (Ganddini 2021a). Therein, the Governor directed the following:

- Established a new interim statewide reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030.
- Ordered all state agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets.
- Directed CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

Executive Order B-29-15

EO B-29-15, mandates a statewide 25 percent reduction in potable water usage. EO B-29-15 signed into law on April 1, 2015 (Ganddini 2021a).

Executive Order B-37-16

EO B-37-16, continuing the State's adopted water reductions, was signed into law on May 9, 2016. The water reductions build off the mandatory 25 percent reduction called for in EO B-29-15 (Ganddini 2021a).

Executive Order N-79-20

As a goal, EO N-79-20 establishes where feasible; all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volume" of new ZEVs "towards the target of 100 percent." The Executive Order directs the California Environmental Protection Agency, the California Geologic Energy Measurement Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal of meeting carbon neutrality by 2045. EO N-79-20 builds upon the CARB Advanced Clean Trucks regulation, adopted by CARB in July 2020 (Ganddini 2021a).

SBX1 2

Signed into law in April 2011, SBX1 2, requires one-third of the State's electricity to come from renewable sources. The legislation increases California's current 20 percent renewables portfolio standard target in 2010 to a 33 percent renewables portfolio standard by December 31, 2020 (Ganddini 2021a).

Senate Bill 350

Signed into law October 7, 2015, SB 350 increases California's renewable electricity procurement goal from 33 percent by 2020 to 50 percent by 2030. Additional information on SB 350 is found in Section 3.4.2.2 (Ganddini 2021a).

3.5.2.4 Regional Regulations – SCAQMD

SCAQMD has promulgated rules and regulations that apply to development in the Project Area.

SCAQMD Regulation XXVII, Climate Change

Rule 2700. The purpose of this rule is to define terms and post global warming potentials.

Rule 2701. SoCal Climate Solutions Exchange: The purpose of this rule is to establish a voluntary program to encourage, quantify, and certify voluntary, high quality certified greenhouse gas emission reductions in the SCAQMD.

Rule 2702. Greenhouse Gas Reduction Program: The purpose of this rule is to create a Greenhouse Gas Reduction Program for greenhouse gas emission reductions in the SCAQMD. The SCAQMD will fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

SCAQMD Threshold Development

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. However, the SCAQMD is not the lead agency for this project. Therefore, the five permit threshold tiers do not apply to the Proposed Project.

Because neither the CARB nor the California Office of Planning and Research has developed GHG emissions threshold, the SCAQMD formed a Working Group to develop significance thresholds related to GHG emissions. At the September 28, 2010 Working Group meeting, the SCAQMD released its most current version of the draft GHG emissions thresholds, which recommends a tiered approach that provides a quantitative annual threshold of 3,000 $MTCO_2e$ for mixed use and 10,000 $MTCO_2e$ for industrial uses.

3.5.2.5 Local Regulations – City of Desert Hot Springs

City of Desert Hot Springs Climate Action Plan. A Climate Action Plan (CAP), adopted by the City in June 2013, sets forth goals to reduce emissions to achieve the targets of AB 32. The CAP identifies that the community will have to reach a 36.4-percent reduction from 2010 baseline emissions or a 43.2-percent reduction from 2020 business-as-usual emissions by 2020 to obtain the AB 32 target emissions. These CAP targets are based on a predicted population growth rate of 83 percent between 2010 and 2020. However, according to the Census Bureau, the population of Desert Hot Springs was estimated to be 27,049 in April 2010 and 28,164 in July 2014; which shows a growth rate of 4.1 percent; therefore, the City of Desert Hot Springs would have to increase its population by 78.9 percent by 2020 to validate the reduction target percentage.

The City of Desert Hot Springs has identified 80 measures to be implemented over the course of an eight-year period, beginning in 2013, to achieve their emission reduction goals. The City promotes energy efficiency and conservation in all areas of community development, including transportation, development planning, and public and private sector construction and operation, as well as in the full range of residential and non-residential projects. The City supports public and private efforts to develop and operate alternative systems of solar and electric production that take advantage of local renewable resources. In addition, the CAP discusses the ability to develop and implement a solar ready ordinance that would require all new buildings and homes to be prepared for solar installation. The CAP also promotes the use of drought tolerant desert landscaping for parks, recreational facilities and golf courses.

City of Desert Hot Springs General Plan and Municipal Code. Local jurisdictions, such as the City of Desert Hot Springs, have the authority and responsibility to reduce air pollution through its police power and decision-making authority. The General Plan Open Space and Natural Resources Element (City of Desert Hot Springs 2020a) contains the following goals, policies and programs aimed at reducing air pollution:

Goal OS-2. Air Quality that is healthy for residents and the environment.

> Policy OS-2.1. Air Pollution Reduction. Seek to reduce air pollution through the implementation of existing regulations and the creation of new regulations where needed.

Policy OS-2.2. Climate Change Laws. Find creative means to comply with State laws addressing climate change.

Policy OS-2.3. Minimize Air Quality Impacts. Minimize the air quality impacts of new development projects on established uses.

Policy OS-2.4. Air Quality Goals. Ensure that land use and transportation plans support regional air quality goals, with new development projects reducing vehicle miles traveled and vehicle trips.

Policy OS-2.6. Alternative Fuels. Prioritize alternative fuel vehicles for City use. Incorporate alternative fuel charging stations into public and private development projects.

Policy OS-2.8. Air Quality and Climate Change Analyses. Require detailed air quality and climate change analyses and mitigation plans for all applications that have the potential to adversely affect air quality.

Section 5.50.150 Odor Control of the City's Municipal Code requires that facilities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the facility, 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 facility.

3.5.3 Methodology

The CalEEMod program was used to calculate the GHG emissions from the Proposed Project. The model calculates emissions from areas sources (including consumer products, landscaping equipment, and architectural coatings), energy use (electricity and natural gas used on the site), mobile sources (vehicle traffic as estimated in the Traffic Impact Analysis), waste generation, and water sources. Additional information regarding the CalEEMod program is found in Section 3.2.3 and in Appendix C.

3.5.4 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. For purposes of this EIR, implementation of the project would be considered to have a significant adverse impact regarding greenhouse gas emissions if it would:

- Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases

3.5.5 Environmental Impacts

The Approved Specific Plan identified greenhouse gas emissions that were less than significant and no mitigation measures were required.

3.5.5.1 Greenhouse Gas Emissions

To determine whether the Proposed Project's GHG emissions are significant, this analysis uses the draft SCAQMD screening threshold of 3,000 $MTCO_2e$ per year for mixed land uses. The analysis also evaluates the Proposed Project's compliance with the emissions-reducing measures, goals, and policies provided in the City's CAP. Although the CAP needs to be updated, it represents the best-available guidance for the Proposed Project.

Table 3.5-1 shows GHG emissions from operation of the hotel and amphitheater that would be developed with the Proposed Project. Table 3.5-1 shows that the Proposed Project's total GHG emissions with incorporation of design features would be 1,555 $MTCO_2e$ per year. The design features that are specific to the Proposed Project include:

- Grey water will provide 100 percent of the landscape irrigation water
- Use of Energy Star® appliances
- Installation of energy efficient lighting that is at least 34 percent more efficient than standard
- On-site alternative energy (wind/solar) will provide approximately 40 percent of annual energy needs.

With implementation of the above listed design features, the Proposed Project would not exceed the SCAQMD draft threshold of 3,000 $MTCO_2e$ per year for mixed land uses (Table 3.5-1).

Table 3.5-1. Greenhouse Gas Emissions with Project Design Features that Reduce Greenhouse Gas Emissions (Proposed Project)

Category	Greenhouse Gas Emissions (Metric Tons/Year)[1]					
	Bio-CO_2	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	890.64	890.64	0.04	0.01	895.69
Mobile Sources[4]	0.00	546.54	546.54	0.05	0.04	559.36
Waste[5]	6.11	0.00	6.11	0.36	0.00	15.13
Water[6]	8.30	60.43	68.74	0.86	0.02	35.66
Construction[7]	0.00	26.62	26.62	0.00	0.00	27.03
Sequestration[8]						-3.01
Total Emissions	14.41	1,524.24	1,538.64	1.31	0.07	1,529.86
SCAQMD Draft Threshold						3,000
Exceeds Threshold						No

Source: Ganddini Group, Inc. 2021a

3.5.5.2 Consistency with Desert Hot Springs CAP

The City of Desert Hot Springs adopted a CAP in 2013. The CAP set goals to reduce emissions in order to achieve AB 32 targets. Although the CAP needs to be updated, it represents the best available guidance for the Proposed Project. In order to meet these targets, the CAP provides programs and policies in various sectors of the community including transportation, residential buildings, commercial buildings, government incentives, renewable energy, cross-cutting initiatives, solid waste, and water. The Proposed Project would comply with all applicable greenhouse gas reducing programs and policies identified in the CAP. As shown in Table 3.5-2, the Proposed Project would be consistent with applicable measures found in the CAP and would not conflict with any applicable plan, policy, or regulation adopted with the purpose of reducing greenhouse gas emission. Impacts would be less than significant.

Table 3.5-2. City of Desert Hot Springs CAP Applicable Measures Project Comparison

Sector	CAP Measures to Reduce GHG Emissions	Project Compliance with Measure
Sphere - Where We Live		
Solid Waste	Solid Waste Diversion: Increase solid waste diversion rate by 5% to 68.1% by 2015 potentially through use of tiered rate structure.	Consistent. The Proposed Project will comply with all local and state diversion requirements. The previously approved cultivation uses on other parcels include 90% of solid (plant) waste to be recycled onsite (goes to vermiculture).
Solid Waste	Solid Waste Diversion: Increase solid waste diversion rate by an additional 10% to 78.1% by 2020 potentially through awareness programs, recognition, tiered rate structures, and other financial instruments.	Consistent. The Proposed Project will comply with AB 341 which includes recycling programs that reduces waste to landfills by up to 75% by 2020. The previously approved cultivation uses on other parcels include 90% of solid (plant) waste to be recycled onsite (goes to vermiculture).
Sphere – Where We Work		
Commercial Buildings	Peak Demand Reduction: Collaborate with SCE and encourage 100 businesses to enroll in Energy Efficiency and Demand Response programs such as the Summer Discount Program.	Consistent. This is a city-based measure. If the Proposed Project is mandated by the City to be one of the 100 businesses that are to enroll in an Energy Efficiency and Demand Response program then the project will comply as needed.
Commercial Buildings	Energy-Efficient, Commercial-Sector Lighting: Promote and leverage existing incentives for efficient lighting and educate and locally incent building owners to eliminate any remaining T-12 lamps in commercial/industrial buildings.	Consistent. The Proposed Project will comply with current Title 24 requirements for installation of energy-efficient lighting.
Commercial Buildings	The Temperature Club: Promote community partnership through policies to adjust indoor temperatures to save/degree reaching out to 100 businesses.	Consistent. This is a city-based measure. If the Proposed Project is mandated by the City to be one of the 100 businesses in the Temperature Club, the project will comply as needed.

Table 3.5-2. City of Desert Hot Springs CAP Applicable Measures Project Comparison		
Sector	**CAP Measures to Reduce GHG Emissions**	**Project Compliance with Measure**
Commercial Buildings	Integrated Lighting Systems: Promote SCE's Energy Management Solutions' energy-efficient lighting linked to building controls and occupancy sensors in minimum of 1 million square feet of commercial/industrial space.	Consistent. This is a city-based measure. If the If the Proposed Project is mandated by the City to be part of the 1 million square feet of commercial/industrial space that is to have energy-efficient lighting linked to building controls and occupancy sensors, then the project will comply as needed.
Government Initiatives	Water Efficient Landscaping Ordinance: Build on and exceed current Water Efficient Landscaping Ordinance in the commercial/industrial sector by 15%	Consistent. The Proposed Project's landscape design complies with the City's landscaping standards and accommodates the surrounding desert landscape. In addition, both the Approved Specific Plan and the Proposed Project include 100% landscape irrigation from grey water and water-efficient irrigation.
Sphere – How We Build		
Commercial Buildings	Sustainable Parking Lots: Program to reduce the heat island effect through the promotion of parking lot coverings and coatings and semi permeable surfaces for new construction to achieve 20% of existing parking lots, and 80% of new parking lots.	Consistent. The Proposed Project and Previous Project both include the planting of trees in the parking lot that would provide shade and reduce the heat island effect and semi-permeable paving will be used as required by the City.
Commercial Buildings	Cool Roofs: Promote the installation of reflective roofing on commercial/industrial properties in the community with recognition for first ten early adopters.	Consistent. The Proposed Project will comply with current Title 24 prescriptive cool roof requirements to meet energy compliance.
Government Initiatives	Green Building Program: Promote the voluntary Green Building Program to prepare for enhanced Title 24 requirements and green building standards.	Consistent. The Proposed Project will comply with the California Green Building Standards Code.
Water	Stormwater Capture: Promote storm water capture and retention for exterior landscape use (cisterns, rain barrels) to demonstrate 10 new systems by 2020.	Consistent. The Proposed Project includes two onsite retention basins. These areas will reduce the runoff from the project site to its pre-developed rate and meet water quality requirements.

Source: Ganddini Group, Inc. 2021a

3.5.5.3 Cumulative Impacts

As compared to the Approved Specific Plan, the Proposed Project would increase the Specific Plan's GHG emissions by 503.43 $MTCO_2e$ per year (Table 3.5-3 and Table 3.5-4). This increase is mainly due to the increase in GHG emissions from traffic generated by amphitheater use. Emissions from the unmanned SCE substation would be similar to or greater than the proposed parking lot. This is because the parking lot is within the walled and gated Specific Plan area and would be for the use of the developments within the

Specific Plan. It is not a park-and-ride or other public use that would generate its own operational emissions. Therefore, the emissions that are associated with the vehicles that may park in the proposed parking lot are already accounted for in the modeling for the other uses in the Specific Plan. There would be some decrease in GHG emissions related to the solar carports planned for Parcel 25; however, the design of the carports has not been completed and the power generation is unknown. Therefore, this decrease has not been quantified.

Although the Proposed Project is expected to emit GHGs, the emission of GHGs by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. Therefore, in the case of global climate change, the proximity of the Proposed Project to other GHG emission generating activities is not directly relevant to the determination of a cumulative impact because climate change is a global condition. According to CAPCOA, "GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective." The resultant consequences of that climate change can cause adverse environmental effects. A Proposed Project's GHG emissions typically would be very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Because Project-related GHG emissions below thresholds, they are less than significant.

Table 3.5-3. Greenhouse Gas Emissions with Project Design Features that Reduce Greenhouse Gas Emissions (Approved Specific Plan Parcels 30 and 31 Cultivation Uses)

Category	Greenhouse Gas Emissions (Metric Tons/Year)[1]					
	Bio-CO_2	NonBio-CO_2	CO_2	CH_4	N_2O	CO_2e
Area Sources[2]	0.00	0.01	0.01	0.00	0.00	0.01
Energy Usage[3]	0.00	685.40	685.40	0.02	0.01	689.35
Mobile Sources[4]	0.00	287.10	287.10	0.02	0.01	297.92
Waste[5]	8.80	0.00	8.80	0.52	0.00	21.79
Water[6]	6.17	44.94	51.11	0.64	0.02	26.52
Construction[7]	0.00	26.64	24.64	0.00	0.00	25.00
Sequestration[8]	0.00	0.00	0.00	0.00	0.00	-3.01
Total Emissions	14.97	1,042.09	1,057.06	1.20	0.04	1,051.57
SCAQMD Draft Threshold						3,000
Exceeds Threshold						No

Source: Ganddini Group, Inc. 2021a

The analysis also analyzed the cumulative effect of the total emissions from the Specific Plan. The Proposed Project would increase the total greenhouse emissions from the Specific Plan by 503.43 $MTCO_2e$ per year when compared to the total emissions from the Approved Specific Plan (Table 3.5-4). This increase is mainly due to the increase in greenhouse gas emissions from traffic generated by the

amphitheater use on event days. The total greenhouse gases generated by the Specific Plan would be 10,379.20 $MTCO_2e$ per year, which would be greater than both the industrial threshold of 10,000 $MTCO_2e$ and 3,000 $MTCO_2e$ for mixed land uses resulting in a significant impact.

Mitigation Measure AQ-3 requires the Proposed Project to implement a shuttle service during amphitheater events, which would reduce greenhouse gas emissions from the Proposed Project by 25.14 $MTCO_2e$ per year. Although the implementation of Mitigation Measure AQ-3 would reduce greenhouse gas emissions from patron vehicles, total emissions from the Proposed Project when added to other uses in the Approved Specific Plan would be 10,354.06 $MTCO_2e$ per year, which is still above the threshold of 3,000 $MTCO_2e$ per year.

Table 3.5-4. Comparison of Approved Specific Plan and Proposed Project Operational Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO_2	**NonBio-CO_2**	**CO_2**	**CH_4**	**N_2O**	**CO_2e**
Approved 2017 Specific Plan	112.96	993.56	10,106.92	8.94	0.19	9,875.77
Entire Specific Plan Project with Substitution of Hotel and Amphitheater Land Uses (without Mitigation Measure AQ-3)	112.40	1,500.23	10,613.03	9.05	0.22	10,379.20
Difference in Emissions from Approved Specific Plan	-0.56	506.27	506.11	0.11	0.03	503.43
SCAQMD Draft Threshold						*3,000*
Exceeds Threshold						*Yes*
Entire Specific Plan Project with Substitution of Hotel and Amphitheater Land Uses (with Mitigation Measure AQ-3)	112.40	1,475.71	10,588.50	9.05	0.22	10,354.06
Difference in Emissions from Approved Specific Plan	-0.56	482.15	481.58	0.11	0.03	478.29
SCAQMD Draft Threshold						*3,000*
Exceeds Threshold						*Yes*

Source: Ganddini Group, Inc. 2021a

The Anaerobic Digester Project would result in greenhouse gas emissions associated with the equipment and haul trucks. The Anaerobic Digester would also generate up to 137.5 MW of energy per day, which would replace energy sources with high greenhouse gas emissions such as natural gas and coal. The analysis for the Anaerobic Digester Project showed that the digester could displace up to 5,384 metric tons of CO_2e per year of greenhouse gas emissions from generation of renewable energy. The Anaerobic Digester would also divert organics from local landfills, resulting in fewer methane emissions from organic materials decomposition and a potential decrease in the vehicle miles traveled for haul trucks, also reducing the emissions of greenhouse gases. The amount of greenhouse gases that would be displaced

from organic diversion from local landfills was not quantified in the IS/MND for the anaerobic digester, but would be an additional beneficial reduction in greenhouse gas emissions. However, the vast majority of greenhouse gas emissions from the Proposed Project are generated by vehicle traffic during the amphitheater event days and not by waste generated at the hotel or amphitheater. Therefore, the impacts of the Proposed Project in combination with the Anaerobic Digester Project would be beneficial but are not likely to reduce cumulative impacts to a less than significant level.

3.5.6 Mitigation Measures

Greenhouse gas emissions from energy use have been minimized through compliance with the energy efficiency design requirements consistent with the CALGreen Code, the City's CAP, and additional energy efficiencies incorporated into the Project's design, as listed here:

Regulatory Compliance

- Using low-flow fixtures that would reduce indoor water demand by 20 percent per CalGreen standards
- Using water efficient irrigation systems
- Implementing recycling programs that reduce waste to landfills by a minimum of 75 percent per AB 341
- Limiting re-application of architectural coatings to buildings to 50 grams per liter VOC ontent and traffic paints to 100 grams per liter VOC content per SCAQMD rule 1113

Project Design Features

- Grey water will provide 100 percent of landscape irrigation water
- Energy Star® appliances will be used
- Energy efficient lighting will be used that is at least 34% more efficient than standard
- On-site wind and solar will provide approximately 40% of the total annual energy needs

As shown in Table 3.5-1, the majority of greenhouse gas emissions from the Proposed Project would be generated from energy use and vehicle emissions. As shown in Table 3.5-2, energy emissions from the Proposed Project would be lower than with the Approved Specific Plan and mobile source emissions from the Proposed Project would be greater than with the Approved Specific Plan. As stated previously, increases in greenhouse gas emissions are mainly due to the increase in greenhouse gas emissions from traffic generated by the amphitheater use on event days. Mitigation Measure AQ-3 would be implemented to reduce the number of patron vehicle trips on event days, which are anticipated to be approximately four times per month. Mitigation Measure AQ-3 is repeated below for convenience.

AQ-3: During an event at the proposed amphitheater, a charter shuttle bus service shall be provided with a pick-up location within the Downtown Palm Springs area. The charter shuttle bus service shall be a reservation-based service provided by the event organizer so that the size of the vehicle and exact schedule can be determined based on the type of event, ticket sales, and demand. At

least 25 percent of the tickets sold for each event will include the cost for a shuttle or rideshare option.

3.5.7 Residual Impacts After Mitigation

Project-level greenhouse gas emissions would be below SCAQMD thresholds, resulting in a less-than-significant Project-level impact. As shown in Table 3.5-4, Mitigation Measure AQ-3 would reduce greenhouse gas emissions from the Proposed Project by 25.14 $MTCO_2e$ per year. Although the implementation of Mitigation Measure AQ-3 would reduce greenhouse gas emissions from patron vehicles, total emissions from the Proposed Project when added to other uses in the Approved Specific Plan would be 10,354.06 $MTCO_2e$ per year, which is still above the threshold of 3,000 $MTCO_2e$ per year. Therefore, cumulative greenhouse gas emissions would be significant even after implementation of feasible mitigation.

3.6 Noise

A noise impact analysis was prepared for the Proposed Project (Ganddini Group, Inc. 2021b; Appendix D). This study is summarized below.

3.6.1 Environmental Setting

The Proposed Project site would be located on vacant land bordered by vacant land to the north and east, 19th Avenue and commercial uses to the south, and Indian Canyon Drive to the west. The nearest sensitive land uses to the project site are the single-family detached residential dwelling units located approximately 0.39 mile northeast of the Project Site. Tables 3.6-1 and 3.6-2 provide a summary of existing short-term and long-term ambient noise, respectively.

Short-term ambient noise levels were conducted to document the existing noise environment. Noise measurements were taken south of Tramview Road (STNM1), south of the Project Site near commercial uses and 19th Avenue (STNM2), west of Indian Canyon Drive (STNM3), east of Diablo Road (STNM4), south of 14th Avenue (STNM5), southeast of the intersection of Avenue Manzana and Camilno Idiolo (STNM6) east of Beacon Way (STNM7) and north of the Project sit along 18th Avenue (LTNM1) (Figure 3-1). As shown in Table 3.6-1, existing noise levels ranged between 40.7 and 59.2 dBA Leq (average noise level over a period of time, on the A weighted decibel scale). Hourly noise levels (Leq) recorded during a 24-hour ambient noise measurement ranged from 43.1 to 60.3 dBA Leq (Table 3.6-2). The dominant noise sources in the Project Area was roadway noise from vehicles.

Table 3.6-1. Short-Term Noise Measurement Summary

Daytime Measurements (dBA)								
Site Location	**Time Started**	**L_{eq}**	**L_{max}**	**L_{min}**	**L_2**	**L_8**	**L_{25}**	**L_{50}**
STNM1	12:01 PM	56.6	74.1	34.3	67.3	60.8	50.4	42.9
STNM2	12:46 PM	56.2	74.6	42.2	64.5	59.1	55.6	52.3
STNM3	1:27 PM	59.2	75.5	43.2	65.2	61.7	59.8	57.8
STNM4	2:23 PM	51.3	71.5	38.1	59.6	51.6	44.4	41.2
STNM5	3:20 PM	40.7	69.7	34.4	47.5	43.8	41.0	39.4
STNM6	4:01 PM	58.3	72.6	36.0	67.2	63.4	57.3	50.8
STNM7	4:44 PM	46.4	62.3	39.9	52.3	47.9	46.1	44.7

Source: Ganddini Group, Inc. 2021b

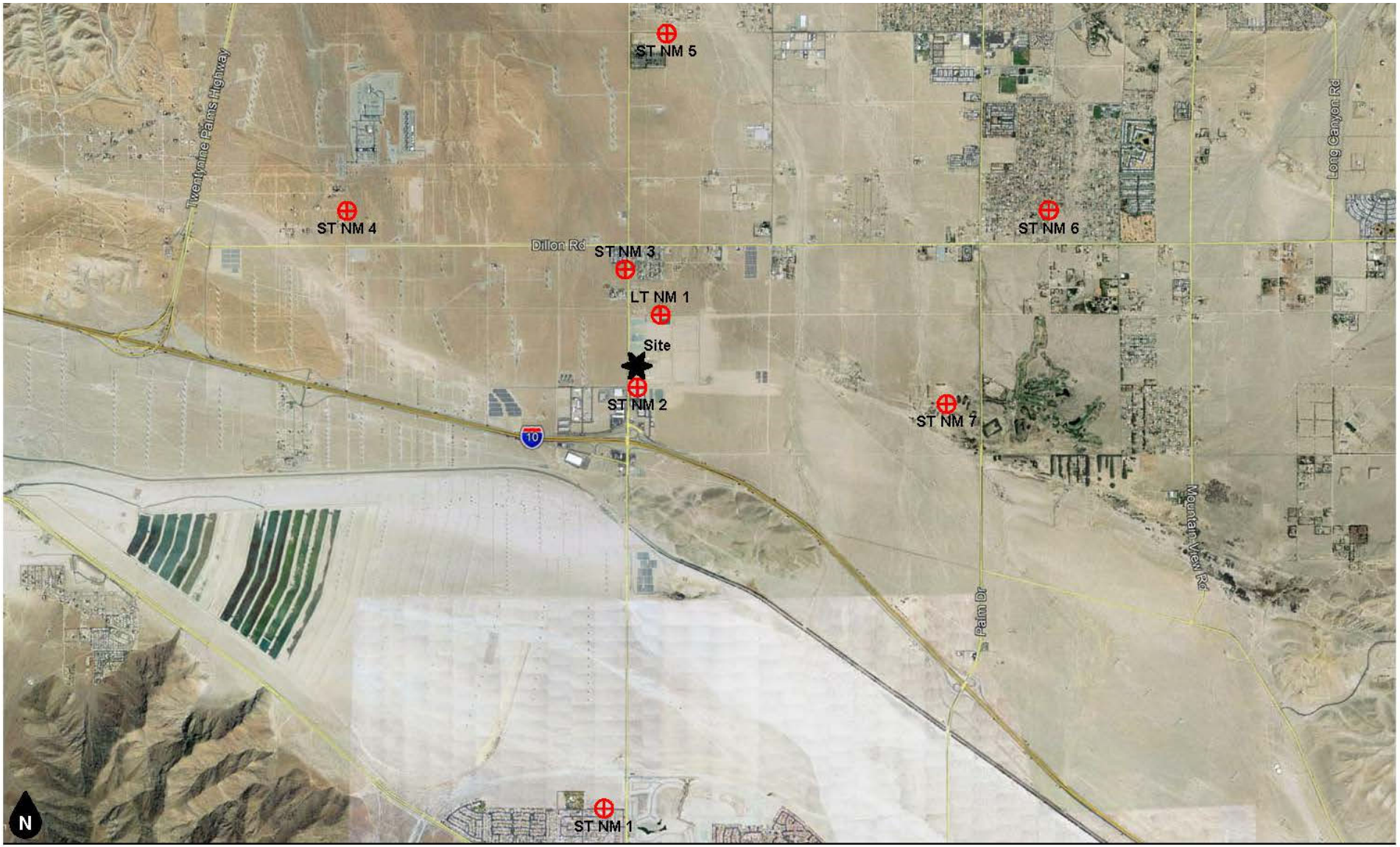
Notes: dBA = decibels on the A weighted scale; L_{eq} = average noise level over a period of time; L_{max} = maximum level of noise measured using a sound level meter; L_{min} = minimum level of noised measured using a sound level meter: L_2, L_8, L_{25}, L_{50} = A weighted noise levels at 2%, 8%, 25% and 50%, respectively of the time period.

Table 3.6-2. Long-Term Noise Measurement Summary

24-Hour Ambient Noise (dBA)								
Hourly Measurements	**Time Started**	**L_{eq}**	**L_{max}**	**L_{min}**	**L_2**	**L_8**	**L_{25}**	**L_{50}**
Overall Summary	7:00 PM	52.0	72.3	36.1	60.8	56.4	51.4	46.9
1	7:00 PM	53.0	63.8	47.1	58.3	55.5	53.5	51.9
2	8:00 PM	56.6	69.7	46.6	63.2	60.2	57.1	54.5
3	9:00 PM	60.3	72.3	50.5	65.6	63.6	61.3	59.0
4	10:00 PM	56.2	72.0	46.2	62.5	59.4	56.5	54.2
5	11:00 PM	53.9	66.9	45.7	58.9	56.7	54.7	52.7
6	12:00 AM	54.5	63.2	43.9	60.5	58.4	55.8	52.8
7	1:00 AM	46.0	61.7	39.7	50.1	48.1	46.5	45.2
8	2:00 AM	45.3	60.8	39.0	48.9	47.3	45.9	44.7
9	3:00 AM	44.5	57.8	36.8	50.7	47.4	45.0	43.0
10	4:00 AM	45.9	60.1	37.1	51.6	48.8	46.6	44.3
11	5:00 AM	48.5	66.5	42.2	52.7	50.8	48.9	47.4
12	6:00 AM	50.8	67.6	40.8	56.3	53.0	50.8	48.7
13	7:00 AM	50.6	68.7	42.6	55.2	52.2	50.2	49.0
14	8:00 AM	48.3	67.4	39.0	52.8	51.2	49.4	45.7
15	9:00 AM	48.6	64.6	37.3	57.8	52.5	47.3	44.1
16	10:00 AM	50.4	68.5	39.4	57.4	54.2	50.5	47.5
17	11:00 AM	50.6	66.3	41.1	56.7	54.3	51.2	48.5
18	12:00 PM	49.3	66.7	37.4	56.6	53.5	49.6	46.4
19	1:00 PM	46.2	65.8	36.8	53.4	50.1	45.7	42.2
20	2:00 PM	49.2	67.7	36.1	57.8	51.3	46.7	43.5
21	3:00 PM	46.0	57.9	36.7	52.8	49.7	46.3	43.7
22	4:00 PM	43.1	57.0	36.6	50.2	46.1	42.9	40.9
23	5:00 PM	43.8	63.2	37.4	50.8	45.8	42.9	41.4
24	6:00 PM	44.3	68.5	37.5	48.9	44.8	43.4	41.5

Source: Ganddini Group, Inc 2021b

Notes: dBA = decibels on the A weighted scale; L_{eq} = average noise level over a period of time; L_{max} = maximum level of noise measured using a sound level meter; L_{min} = minimum level of noised measured using a sound level meter: L_2, L_8, L_{25}, L_{50} = A weighted noise levels at 2%, 8%, 25% and 50%, respectively of the time period.



Legend

⊕ Noise Measurement Location

source: Ganddini 2021b

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Figure 3-1 Noise Measurement Locations
2016-219 Coachillin Specific Plan

3.6.2 Regulatory Setting

3.6.2.1 Federal

Federal Noise Control Act of 1972

The EPA Office of Noise Abatement and Control was established to coordinate federal noise control activities. After its inception the Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, which established programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In response, the EPA published information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Levels of Environmental Noise) (Ganddini 2021b).

In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at lower levels of government. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to State and local governments. However, noise control guidelines and regulations contained in EPA rulings in prior years remain in place by designated Federal agencies, allowing more individualized control for specific issues by designated Federal, State, and local government agencies (Ganddini 2021b).

3.6.2.2 State

State of California General Plan Guidelines 2017

The State of California General Plan Guidelines 2017 (OPR Guidelines) published by the California Governor's Office of Planning and Research (OPR). Though not adopted by law, OPR Guidelines identify the sustainability of various types of construction relative to a range of outdoor noise levels and provide each local community some flexibility in setting local noise standards that allow for variability in community preferences. Findings presented in the Levels of Environmental Noise Document (EPA 1974) influenced recommendations in the OPR Guidelines, most importantly the choice of exposure metrics (i.e., L_{dn} or CNEL) and for upper limits of the Normally Acceptable outdoor exposure of noise-sensitive uses. The OPR Guidelines include a Noise and Land Use Compatibility Matrix which identifies acceptable and unacceptable community noise exposure limits for various land use categories. The City of Desert Hot Springs has incorporated these guidelines into the City's General Plan Safety and Noise Element (Ganddini 2021b).

State of California Code

California Building Code (CBC 2019) Section 1206.4, Title 24, Part 2, Chapter 12. Establishes an interior noise criterion of 45 dBA CNEL for dwelling units. Per California Building Code, Title 24, Part 2, Chapter 2 (Definitions), a residential dwelling unit is a unit that is intended to be used as a residence that is primarily long-term in nature. Residential dwelling units do not include transient lodging, inpatient medical care, licensed long-term care, and detention or correctional facilities. Therefore, the State of California 45 dB CNEL noise criteria do not apply to hotels (Ganddini 2021b).

CBC 2019, Title 24, Part 2, Chapter 5, Section 5.507, Subsection 5.507.4. Requires that the use of building assemblies and components with Sound Transmission Class (STC) values determined in

accordance with ASTM E90 and ASTM E413 or Outdoor-Indoor Sound Transmission Class (OITC) determined in accordance with ASTM E1332, using either the prescriptive or performance method in Section 5.507.4.1 or 5.507.4.2. Buildings with few or no occupants or where occupants are not likely to be affected by exterior noise, as determined by the enforcement authority, such as factories, stadiums, storage, enclosed parking structures and utility buildings (Ganddini 2021b).

Subsection 5.507.4.1 regulates exterior noise transmission (Ganddini 2021b). Wall and roof-ceiling assemblies exposed to the noise source making up the building or addition envelope or altered envelope shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 in the following locations:

1. Within the 65 CNEL noise contour of an airport.

Exceptions:

1. Ldn or CNEL for military airports shall be determined by the facility Air Installation Compatible Land Use Zone (AICUZ) plan.
2. Ldn or CNEL for other airports and heliports for which a land use plan has not been developed shall be determined by the local general plan noise element.
3. Within the 65 CNEL or Ldn noise contour of a freeway or expressway, railroad, industrial source or fixed-guideway source as determined by the Noise Element of the General Plan.

Subsection 5.507.4.1.1 regulates noise exposure where noise contours are not readily available (Ganddini 2021b). Buildings exposed to a noise level of 65 dB Leq-1-hr during any hour of operation shall have building, addition or alteration exterior wall and roof-ceiling assemblies exposed to the noise source meeting a composite STC rating of at least 45 or Outdoor/Indoor Transmission Class (OITC) of 35, with exterior windows of a minimum STC of 40 or OITC 30.

In order to comply with the CBC 2019, Title 24, Part 2, Chapter 5, proposed buildings that will house occupants, excepting factories, stadiums, storage, enclosed parking structures and utility buildings, shall comply with the 5.507.4.1 which requires wall and roof-ceiling assemblies exposed to the noise source (Indian Canyon Drive) making up the building, or addition envelope or altered envelope, shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 (Ganddini 2021b).

California Department of Transportation (Caltrans)

The California Department of Transportation has published one of the seminal works for the analysis of ground-borne noise and vibration relating to transportation and construction-induced vibrations and, although the project is not subject to these regulations, it serves as a useful tool to evaluate vibration impacts. These guidelines recommend that a standard of 0.2 inches per section (in/sec) Peak Particle Velocity (PPV) not be exceeded for the protection of normal residential buildings. This is the appropriate threshold for construction related ground-borne vibration impacts (Ganddini 2021b).

3.6.2.3 Local

City of Desert Hot Springs General Plan

The City's General Plan contains the following goals and policies relevant to noise (City of Desert Hot Springs 2020a).

Goal SN-8. A noise environment that provides peace and quiet that complements the City's spa resort character.

Policy SN-8.1. Sensitive Land Uses. Protect noise-sensitive land uses from high noise levels from both existing and future noise sources. Sensitive uses include residences, resorts and community open space, schools, libraries, churches, hospitals, and convalescent homes.

Policy SN-8.2. Noise Impacts. Assess proposed development and associated traffic for the potential to generate adverse and incompatible noise impacts. Require mitigation for identified impacts.

Policy SN-8.3. Noise Mitigation. Require the installation of sound walls, earthen berms, wall, window noise insulation, and other mitigation measures for new development in areas that may exceed the City's noise limit standards.

Policy SN-8.4. Circulation Pattern. Encourage a Citywide circulation pattern that places primary traffic loads on major arterials and preserves local neighborhood noise environments by controlling traffic speeds to the greatest extent practical.

Policy SN-8.5. Compatible Land Uses. Designate land uses that are compatible with higher noise levels adjacent to major arterial roads and highways, the Interstate 10 corridor, or designated industrial lands.

Policy SN-8.6. Truck Routes. Designate primary truck routes and clearly mark these routes through the City. Other than vehicles providing local service, construction traffic, and delivery trucks, through traffic shall be limited to those as detailed in the Circulation chapter.

Policy SN-8.8. Interior Noise Standards. Enforce quantitative exterior and interior noise standards for various types of sensitive land uses.

Policy SN-8.9. Exterior Noise Standards. Allow for an exceedance of exterior noise standards for all land use types so long as adequate mitigation is provided for interior noise reduction.

Policy SN-8.10. Noise-Generating Uses. Require specific design for noise-generating uses such as restaurants, bars, and industrial business located near sensitive uses such as residential.

Policy SN-8.11. Noise Level Compliance. Require new development to monitor and document compliance with all applicable noise level limits in areas subject to potentially significant noise impacts (Ganddini 2021b).

Policy SN-8.12. Delivery or Service Noise Generation. Regulates delivery or service hours for businesses with potential noise-generating features such as trash bins, docks, loading areas that are located near sensitive uses such as residences, schools, and hospitals.

Policy SN-8.13. Noise-Reducing Pavement. Encourages the use of noise-reducing paving materials such as rubberized asphalt for road surfacing projects near sensitive land uses.

City of Desert Hot Springs Municipal Code

The City of Desert Hot Springs Municipal Code sections applicable to the evaluation of the proposed project in this analysis include the following:

Section 8.12.030. Prohibits unlawful noise disturbances within City limits or within 200 feet of City. Per Section 8.12.020, a noise disturbance is any sound that:

1. Endangers the safety or health of any person;
2. Disturbs a reasonable person of normal sensitivities; or
3. Endangers personal or real property.

Section 8.12.090. Prohibits operational noise disturbances across residential property boundaries outside specified hours: Monday through Friday, 7:00 AM through 6:00 PM; Saturday, 8:00 AM through 6:00 PM and Sunday, 9:00 AM through 5:00 PM.

Section 9.04.030. Prohibits construction activities between the hours of 5:00 PM of each day and 7:00 AM of the next day, except when daylight savings time is in effect. During such time as daylight savings time is in effect in the City, no such activities shall be permitted between the hours of 6:00 PM of each day and 6:00 AM of the next day. No such activities shall be permitted on Sundays.

Section 17.40.180. Prohibits attention attracting or communications device noise with discernable noise outside of the boundary line of the parcel, except fire protection devices, burglar alarms and church bells. The following provisions shall apply:

a. In residential areas, no exterior noise level shall exceed 65dBA and no interior noise level shall exceed 45dBA.

Section 17.40.300. Prohibits discernible vibration beyond the boundary line of the property (Ganddini 2021b).

3.6.3 Methodology

Construction noise associated with the Proposed Project was calculated at the sensitive receptor locations, using methodology presented in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual together with several key construction parameters including: distance to each sensitive receiver, equipment usage, percent usage factor, and baseline parameters for the Project Site. Additional information on the calculations and the construction noise worksheets are provided in Appendix D.

Existing and *Existing Plus Project* noise levels from traffic along Indian Canyon Drive and other affected nearby roadway segments were modeled utilizing the FHWA Traffic Noise Prediction Model FHWA-RD-77-108 in order to quantify the proposed project's contribution to increases in ambient noise levels.

Existing and *Existing Plus Project* vehicle mix were obtained from the project's traffic study (Ganddini Group 2021c). Additional information on the model and modeling assumptions is provided in Appendix D.

SoundPLAN acoustical modeling software was utilized to model peak hour operational noise with and without an amphitheater event, and worst-case buildout traffic noise impacts. SoundPLAN is capable of evaluating stationary noise sources (e.g., amplified music, crowd noise, parking movements, delivery trucks, pool/recreational activities, and air conditioning, etc.). Additional information on the model and modeling assumptions are provided in Appendix D.

3.6.4 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, noise impacts are considered significant if implementation of the Proposed Project would result in:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- Generation of excessive groundborne vibration or groundborne noise levels.

The CEQA Guidelines Appendix G also states that noise impacts would be significant if the Proposed Project is located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would expose people residing or working in the Project Area to excessive noise levels. As described in the Initial Study in Appendix A, the Proposed Project is located more than seven miles from the nearest airport, the Palm Springs International Airport. The Project Site is not located within a public or private airport land use plan area. Therefore, this threshold is not further discussed in the EIR.

3.6.5 Environmental Impacts

As described in Section 2.4.2, Mitigation Measures NM-1 through NM-4 were adopted with the Approved Specific Plan and will apply to the Proposed Project. These mitigations are repeated below for convenience.

NM-1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NM-2: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

NM-3: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

NM-4: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

3.6.5.1 Construction Impacts

The construction of the hotel and amphitheater uses (Proposed Project) would result in short-term construction noise from activities such as precise grading, building construction, paving, and architectural coating. Construction noise associated with these activities would vary depending on the type of equipment used, location of construction activities with respect to nearby sensitive receptors, schedule (hour and day of the week), and duration of construction work. For the purpose of this analysis, construction noise was calculated at nearby sensitive receptors using Federal Transit Administration (FTA) methodology applying the following parameters: distance to each sensitive receiver equipment usage, percent usage factor, and baseline parameters for the project site.

Table 3.6-3 shows a comparison of existing ambient noise levels and Project construction noise levels at the nearest receptor locations. The nearest receptor locations are the residential property lines of properties to the northeast (LTNM1 on Figure 3-1) and the commercial property lines to the south (STNM2 on Figure 3-1).

Table 3.6-3. Construction Noise Levels

Receptor Location	Phase	Construction Noise Levels (L_{eq})			
		Existing Ambient Noise Levels	Unmitigated Noise Levels	Combined Noise Levels	Increase (dB)
South	Grading	56.2	68.4	68.7	12.5
Northeast		52	55.2	56.9	4.9
South	Building Construction	56.2	66.9	67.3	11.1
Northeast		52	53.7	55.9	3.9
South	Paving	56.2	62.2	63.2	7.0
Northeast		52	49.0	53.8	1.8
South	Architectural Coating	56.2	52.9	57.9	1.7
Northeast		52	39.7	52.2	0.2

Source: Ganddini Group, Inc. 2021b

According to FTA methodology, daytime construction noise levels should not exceed 80 dBA L_{eq} for an 8-hour period at residential uses and 85 dBA L_{eq} for an 8-hour period at commercial uses. As shown in Table 3.6-3, the Proposed Project construction activities would not exceed the residential threshold of 80 dBA L_{eq} for an 8-hour period at the closest residential receptor located approximately 0.39 miles (approximately 2,060 feet) northeast of the Project site, nor will it exceed the commercial threshold of 85 dBA L_{eq} for an 8-hour period at adjacent commercial receptors. Additionally, the Proposed Project would comply with the City of Desert Hot Springs Municipal Code Section 9.04.030, which permits construction related activities between the hours of 7:00am to 5:00pm, except when daylight savings time is in effect, and to the hours of 6:00am to 6:00pm during daylight savings time. Construction activities are not permitted on Sundays. With adherence to the above-mentioned ordinances and previously-adopted mitigation measures NM-1 through NM-4, impacts associated with construction noise would be less than significant. Construction noise impacts at sensitive receptors would be slightly less than the Approved Specific Plan, which were modeled to reach up to 74 dBA L_{eq} at the nearest sensitive receptor.

3.6.5.2 Operational Impacts

Noise Impacts to Off-Site Receptors Due to Project-Generated Trips

Project-generated traffic noise level scenarios were modeled utilizing the FHWA Traffic Noise Prediction Model - FHWA-RD-77-108 for operational noise. The potential offsite noise impacts caused by an increase of traffic from operation of the Proposed Project on nearby roadways were calculated for the following scenarios:

> *Existing Year (without Project)*: This scenario refers to existing year traffic noise conditions.
>
> *Existing Year (with Project without Amphitheater Event)*: This scenario refers to existing year plus project traffic noise conditions without an amphitheater event occurring.
>
> *Existing Year (with Project with Amphitheater Event)*: This scenario refers to existing year plus project traffic noise conditions with an amphitheater event occurring. It is anticipated that amphitheater events will occur on average 4 times per month.

As shown in Table 3.6-4, modeled *Existing* scenario traffic noise levels range between 55.7 and 76.6 dBA Community Equivalent Noise Level (CNEL) and modeled *Existing Plus Project without Amphitheater Event* scenario traffic noise levels range between 57.8 and 77.6 dBA CNEL at the right-of-way of each modeled roadway segment. In addition, as shown in Table 3.6-5, modeled *Existing Plus Project with Amphitheater Event* scenario traffic noise levels range between 57.8 and 78.1 dBA CNEL at the right-of-way of each modeled roadway segment.

Increases in ambient noise due to project-generated vehicle traffic is considered substantial if the Proposed Project results in an increase of at least 5 dBA CNEL and: (1) the existing noise levels already exceeds the applicable land use compatibility standard for the affected sensitive receptors set forth in the Noise Element of the City's General Plan; or (2) the Proposed Project increases noise levels by at least 5 dBA CNEL and raises the ambient noise level from below the 65 dBA CNEL standard to above 65 dBA CNEL.

One of the modeled roadway segments, 19th Avenue east of Indian Canyon Road, in the *Existing Plus Project with Amphitheater Event* scenario is anticipated to increase noise above the 5 dBA CNEL threshold. The modeled existing noise level along this roadway segment is 59.9 dBA CNEL and the modeled *Existing Plus Project with Amphitheater Event* noise level is 66.8 dBA CNEL, resulting in an increase of 6.9 dB. However, no sensitive receptors are located along this roadway segment, which include heavy commercial and industrial uses. According to the City's General Plan, heavy commercial and industrial uses are considered normally acceptable in areas with exterior noise levels reaching up to 70 dBA CNEL. Therefore, although the noise level increase is above 5 dB, the modeled noise level of 66.8 dBA CNEL would not exceed the City's normally acceptable land use standard of 70 dBA CNEL for heavy commercial and industrial land uses and the increase would not affect sensitive receptors. Furthermore, the noise level increase would only occur during amphitheater events, at an average of four times per month. Therefore, this impact is considered to be less than significant and no mitigation is required.

The Proposed Project is anticipated to change the noise level between approximately 0 to 3.64 dBA CNEL for the *Existing Plus Project without Amphitheater Event* scenario and 0.06 to 3.64 dBA CNEL for the *Existing Plus Project with Amphitheater Event* scenario (Tables 3.6-4 and 3.6-5). Therefore, changes in noise levels would be less than 5 dBA CNEL with the Proposed Project. With the Proposed Project, more roadway noise would be generated, with the increase ranging between 0 and 6.9 dB. However, the most affected roadway segments are adjacent to commercial and industrial land uses and not near sensitive receptors. Roadway noise associated with the Proposed Project would be considered less than significant. No mitigation is required.

Table 3.6-4. Change in Existing Noise Levels Along Roadways as a Result of Project without Amphitheater Event

Roadway	Segment	Distance from roadway centerline to right-of-way (feet)[2]	Modeled Noise Levels (dBA CNEL)[1]				
			Existing without Project at right-of-way	Existing Plus Project without Amphitheater Event at right-of-way	Change in Noise Level	Exceeds Standards[3]	Increase of 5 dB or More
Pierson Blvd	East of Indian Canyon Dr	55	70.43	70.59	0.16	Yes	No
Dillon Road	West of Indian Canyon Dr	50	68.41	68.89	0.48	Yes	No
	Indian Canyon Drive to Little Morongo Rd	50	74.39	74.56	0.17	Yes	No
	East of Little Morongo Rd	50	71.35	71.51	0.16	Yes	No
18th Ave	East of Indian Canyon Dr	30	55.71	59.35	3.64	No	No
19th Ave	East of Indian Canyon Dr	30	59.91	59.91	0.00	No	No
20th Ave	East of Indian Canyon Dr	36	70.57	71.94	1.37	Yes	No
Garnet Ave	West of Indian Canyon Dr	44	68.05	70.25	2.20	Yes	No
Tramview Road	West of Indian Canyon Dr	30	57.46	57.78	0.32	No	No
San Rafael Dr	East of Indian Canyon Dr	44	68.59	68.66	0.07	Yes	No
Racquet Club Dr	East of Indian Canyon Dr	44	71.98	72.04	0.06	Yes	No
Indian Canyon Dr	North of Pierson Blvd	40	73.62	73.68	0.06	Yes	No
	Pierson Blvd to Dillon Road	55	73.39	73.53	0.14	Yes	No
	Dillon Road to 18th Ave	55	75.46	75.75	0.29	Yes	No
	18th Ave to North Project Driveway	55	75.46	75.67	0.21	Yes	No
	North Project Driveway to 19th Ave	55	75.40	77.23	1.83	Yes	No
	19th Ave to 20th Ave	55	75.40	77.23	1.83	Yes	No
	20th Ave to Garnet Ave	55	76.57	77.63	1.06	Yes	No
	Garnet Ave to Tramview Road	55	75.92	76.07	0.15	Yes	No
	Tramview Road to San Rafael Dr	55	74.69	74.82	0.13	Yes	No
	San Rafael Dr to Racquet Club Dr	55	74.69	74.77	0.08	Yes	No
	South of Racquet Club Dr	55	73.63	73.70	0.07	Yes	No

Source Ganddini Group, Inc. 2021b

Notes: [1]Exterior noise levels calculated 5 feet above pad elevation, perpendicular to subject roadway.
[2]Right of way per the City of Desert Hot Springs General Plan Mobility and Infrastructure Element or the City of Palm Springs General Plan Circulation Element.
[3]Per the City of Desert Hot Springs General Plan, normally acceptable standard for single-family detached residential dwelling units.

Table 3.6-5. Change in Existing Noise Levels Along Roadways as a Result of Project with Amphitheater Event

Roadway	Segment	Distance from roadway centerline to right-of-way (feet)[2]	Modeled Noise Levels (dBA CNEL)[1]				
			Existing Without Project at right-of-way	Existing Plus Project Without Amphitheater Event at right-of-way	Change in Noise Level	Exceeds Standards[3]	Increase of 5 dB or More
Pierson Blvd	East of Indian Canyon Dr	55	70.43	70.59	0.16	Yes	No
Dillon Road	West of Indian Canyon Dr	50	68.41	68.89	0.48	Yes	No
	Indian Canyon Dr to Little Morongo Rd	50	74.39	74.56	0.17	Yes	No
	East of Indian Canyon Dr	50	71.35	71.51	0.16	Yes	No
18th Ave	East of Indian Canyon Dr	30	55.71	59.35	3.64	No	Yes
19th Ave	East of Indian Canyon Dr	30	59.91	59.91	0.00	No	No
20th Ave	East of Indian Canyon Dr	36	70.57	71.94	1.37	Yes	No
Garnet Ave	West of Indian Canyon Dr	44	68.05	70.25	2.20	Yes	No
Tramview Road	West of Indian Canyon Dr	30	57.46	57.78	0.32	No	No
San Rafael Dr	East of Indian Canyon Dr	44	68.59	68.66	0.07	Yes	No
Racquet Club Dr	East of Indian Canyon Dr	44	71.98	72.04	0.06	Yes	No
Indian Canyon Dr	North of Pierson Blvd	40	73.62	73.68	0.06	Yes	No
	Pierson Blvd to Dillon Road	55	73.39	73.53	0.14	Yes	No
	Dillon Road to 18th Ave	55	75.46	74.75	0.29	Yes	No
	18th Ave to North Project Driveway	55	75.46	74.67	0.21	Yes	No
	North Project Driveway to 19th Ave	55	75.40	77.23	1.83	Yes	No
	19th Ave to 20th Ave	55	75.40	77.23	1.83	Yes	No
	20th Ave to Garnet Ave	55	76.57	77.63	1.06	Yes	No
	Garnet Ave to Tramview Road	55	75.92	76.07	0.15	Yes	No
	Tramview Road to San Rafael Dr	55	74.69	74.82	0.13	Yes	No
	San Rafael Dr to Racquet Club Dr	55	74.69	74.77	0.08	Yes	No
	South of Racquet Club Dr	55	73.63	73.70	0.07	Yes	No

Source Ganddini Group, Inc. 2021b

Notes: [1]Exterior noise levels calculated 5 feet above pad elevation, perpendicular to subject roadway.
[2]Right of way per the City of Desert Hot Springs General Plan Mobility and Infrastructure Element or the City of Palm Springs General Plan Circulation Element.
[3]Per the City of Desert Hot Springs normally acceptable standard for single-family detached residential dwelling units.

Transportation Noise Impacts to the Proposed Project

The City of Desert Hot Springs General Plan Land Use and Noise Compatibility Guidelines considers noise levels of up to 65 dbA CNEL as *normally acceptable* and noise levels of up to 70 dBA CNEL as *conditionally acceptable* for hotels, while amphitheater land uses are considered *conditionally acceptable* in environments with noise levels reaching 60 dBA CNEL.

Proposed outdoor use areas at the hotel, including the hotel pool area, are shielded from Indian Canyon Road by the hotel building and would experience traffic noise levels of approximately 35 dBA CNEL, which would be lower than the *normally acceptable* Land Use and Noise Compatibility Guidelines threshold of 60 dBA CNEL. This noise level is lower than the Approved Specific Plan, which estimated that traffic noise levels would reach up to 75 dBA CNEL at the closest proposed building to North Indian Canyon Drive; this was *conditionally acceptable* for the cannabis uses previously analyzed on the site for the Approved Specific Plan.

Noise levels associated with future buildout traffic would range between 68 to 73 dBA CNEL at the western facade of the proposed hotel. The first floor of the west facing facade of the proposed hotel, including any ground-level outdoor uses, would be exposed to noise levels of 68 dBA CNEL, which falls within the Land Use and Noise Compatibility Guidelines *conditionally acceptable* category for hotel land uses (75 dBA CNEL). The proposed hotel would be required to comply with California Building Code Title 24, Part 2, Chapter 5; compliance with this existing regulation would ensure that interior noise levels would not exceed 45 dBA CNEL. Impacts would be less than significant with Mitigation Measures NM-5 and NM-6.

Noise levels associated with future buildout traffic would reach up to 65 dBA CNEL at the western side of the proposed amphitheater. Amphitheaters are considered to be a *conditionally acceptable* land use in noise environments that reach 60 dBA CNEL. The City has not identified a *normally acceptable* noise level for amphitheaters. The exposure of the proposed outdoor amphitheater to noise levels of up to 65 dBA CNEL would fall into the *generally unacceptable* category. Per the City's General Plan Land Use and Noise Compatibility Guidelines, if new construction proceeds, a detailed analysis of noise reduction requirements must be made and needed noise insulation features should be included in the design. Because of the nature of the activity of the proposed amphitheater, which is planned for live outdoor music events, design mitigation to reduce traffic noise levels, which would be well below anticipated event noise, is not necessary. No mitigation is required.

Noise Impacts to Offsite Receptors from Onsite Operational Noise

As discussed above, the site is surrounded by vacant and commercial land uses. The nearest sensitive receptors to the project site include the existing single-family residential dwelling units located approximately 0.39 mile northeast of the Project Site. Section 17.40.180 of the City of Desert Hot Springs Municipal Ordinance establishes exterior noise level standards of 65 dBA L_{eq} or an interior noise level of 45 dBA L_{eq}, respectively, for the transmission of noise to residential land uses. The City has not established a specific noise level standard for impacts to commercial land uses.

The Proposed Project includes operational noise sources such as rooftop HVAC equipment, parking lot noise, pool, and amphitheater outdoor entertainment. Operational noise associated with an amphitheater event, which would occur approximately 4 times per month, is expected to range between 53 and 65 dBA L_{eq} at adjacent commercial properties (Figure 3-2) and project operational noise without an amphitheater event is expected to range between 50 and 62 dBA L_{eq} at adjacent commercial properties (Figure 3-3). Project operational noise levels with or without an amphitheater would dissipate to ambient noise levels by the time it reaches existing residential land uses located over 2,000 feet northeast of the hotel and amphitheater.

As discussed previously, existing ambient noise levels in the project vicinity range between 40.7 and 60.3 dBA L_{eq}. Project peak hour operations without an amphitheater event would reach up to 62 dBA L_{eq}. Project peak hour operations with an amphitheater even2021dt may result in noise levels at adjacent commercial properties that reach up to 65 dBA L_{eq}. The City has not established a numerical noise threshold to evaluate impacts to commercial land uses. Project operational noise would dissipate to ambient noise levels at the nearest residential land use which is located more than 2,000 feet northeast of the hotel and amphitheater (Figures 3-2 and 3-3). Assuming peak hour noise could occur during any hour, the Proposed Project would result in increases of ambient noise levels of up to 24.3 dBA L_{eq} at adjacent commercial properties during operation with an amphitheater event. Project operation would not result in increases in ambient noise levels at the nearest sensitive receptors. Proposed Project operational noise without an amphitheater event would be similar to the Approved Specific Plan. With an amphitheater event, noise at adjacent commercial properties would be greater than the Approved Specific Plan but would be similar to the Approved Specific Plan at sensitive receptors. Given that the Proposed Project would not result in a violation of City standards at the nearest sensitive receptor, impacts would be less than significant. No mitigation is required.

Groundborne Vibration Impacts

Groundborne vibration is readily perceptible at a peak particle velocity (PPV) of 0.08 and is annoying to people at a PPV of 0.2. At 81 feet, which is the distance to the closest existing offsite building, the commercial uses to the south of the project site, use of a vibratory roller during construction would be expected to generate a PPV of 0.036 PPV and a bulldozer would be expected to generate a PPV of 0.015. Use of either a vibratory roller or a bulldozer would not be considered annoying to nearby sensitive receptors. Vibration impacts would be similar to those estimated for the Approved Specific Plan because similar construction equipment would be used for a similar time frame. A less than significant impact would occur.

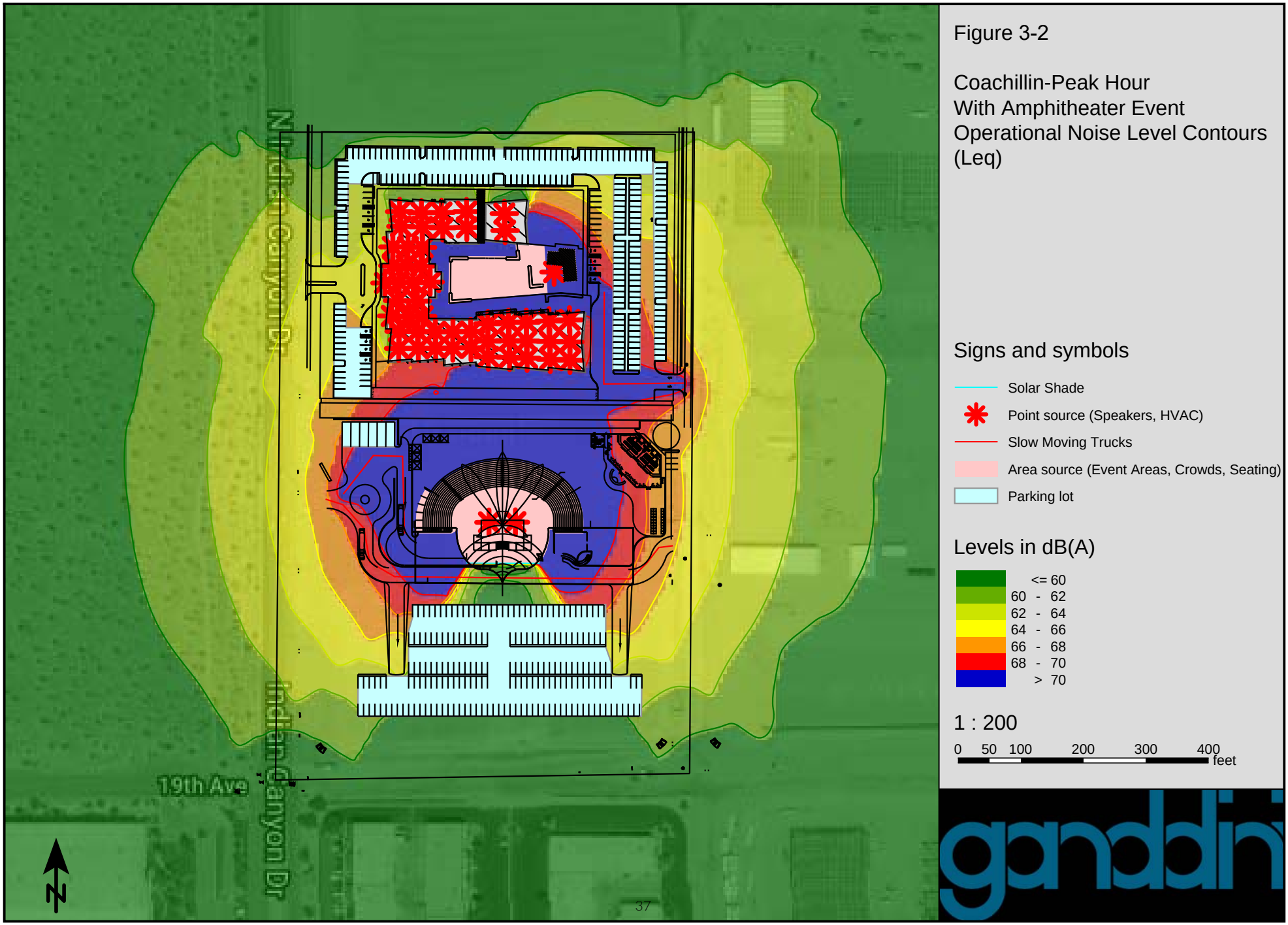

Figure 3-2
Coachillin-Peak Hour
With Amphitheater Event
Operational Noise Level Contours
(Leq)
Signs and symbols
Solar Shade
Point source (Speakers, HVAC)
Slow Moving Trucks
Area source (Event Areas, Crowds, Seating)
Parking lot
Levels in dB(A)
<= 60
60 - 62
62 - 64
64 - 66
66 - 68
68 - 70
> 70
1 : 200
0 50 100 200 300 400
feet
Indian Canyon Dr
19th Ave
N
ganddini



Figure 3-3

Coachillin-Peak Hour
No Amphitheater Event
Operational Noise Level Contours
(Leq)

Signs and symbols

- Solar Shield
- Point source (Speakers, Event Areas)
- Slow moving Trucks
- Area source (Event Areas, Crowds, Seating)
- Parking lot

Levels in dB(A)

- <= 60
- 60 - 62
- 62 - 64
- 64 - 66
- 66 - 68
- 68 - 70
- > 70

1 : 200

0 50 100 200 300 400 feet

Vibration generated by construction activity has the potential to damage structures. This damage could be structural damage, such as cracking of floor slabs, foundations, columns, beams, or wells, or cosmetic architectural damage, such as cracked plaster, stucco, or tile. Architectural damage to normal dwellings as a result of vibration could occur at 0.2 PPV. As stated above groundborne vibration levels associated with project construction are not expected to exceed 0.036 PPV at the nearest structure. Project construction is not expected to result in architectural damage. Vibration impacts would be similar to those estimated for the Approved Specific Plan because similar construction equipment would be used for a similar time frame. A less than significant impact would occur and no mitigation is required.

3.6.5.3 Cumulative Impacts

Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to Project operations in combination with existing and planned projects in the vicinity. The modeling effort for operational noise, described in Section 3.6.4.2, above, includes traffic from other projects in the vicinity (including other portions of the Approved Specific Plan that are not proposed to be changed) as well as traffic from the Proposed Project. Additionally, Table 3.6-6 shows the comparison between the Approved Specific Plan and the Proposed Project. Impacts were found to be less than significant with mitigation.

Mitigation Measure AQ-3 requires a shuttle service to decrease patron traffic on amphitheater event days. Implementation of this mitigation would further reduce traffic noise from the Proposed Project.

Table 3.6-6. Comparison of Operational Noise Levels – Proposed Project and Previously-Approved Specific Plan

Description	Noise Level at Adjacent Commercial Properties (dBA CNEL)	Noise Level at Nearest Residential Properties (dBA CNEL)
Approved Specific Plan	36-72	Not discernable over ambient
Proposed Project Without Amphitheater Event	50-62	Not discernable over ambient
Proposed Project With Amphitheater Event	53-65	Not discernable over ambient

Source: Ganddini Group, Inc. 2021b

As evaluated in the IS/MND for the Anaerobic Digester Project (City of Desert Hot Springs 2020b), noise levels associated with construction would be less than significant with mitigation and operational noise levels would be less than significant at the nearest sensitive receptor, located 3,000 feet to the northwest, just north of the Specific Plan boundary. This is because the operational equipment and parts of the process that generate noise (such as truck offloading) are located indoors. The hotel land use would be located a similar distance from the Anaerobic Digester site and is also not anticipated to be affected by noise from the operation. The Anaerobic Digester Facility is not a sensitive land use in regards to noise, and noise generated by amphitheater events would dissipate to background levels prior to reaching the Anaerobic Digester site (Figure 3-2).

3.6.6 Mitigation Measures

As described in Sections 2.4.2 and 3.6.4, Mitigation Measures NM-1 through NM-4 (repeated below for convenience) are part of the Approved Specific Plan and apply to the Proposed Project. Mitigation Measures NM-5 and NM-6 have been added to ensure compliance with the California Building Code.

NM-1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NM-2: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

NM-3: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

NM-4: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

NM-5: Proposed hotel window/glass sliding glass doors directly facing Indian Canyon Drive should have a Sound Class Transmission rating of at least 25 in order to achieve interior noise levels no greater than 45 dBA CNEL from future traffic noise levels associated with North Indian Canyon Road.

NM-6: Prior to construction, the project proponent shall provide evidence that all proposed buildings that may be occupied (except for factories, stadiums, storage, enclosed parking structures, and utility buildings) shall be constructed utilizing wall and roof-ceiling assemblies exposed to Indian Canyon Drive, shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 for all buildings that will house occupants that may be affected by the traffic noise, as required by the California Building Code (2019), Title 24, Part 2 Chapter 5 (Nonresidential Mandatory Measures).

3.6.7 Residual Impacts After Mitigation

Noise impacts would be less than significant after mitigation.

3.7 Transportation

Impacts to traffic are typically measured by VMT or Level of Service (LOS). A key distinction between VMT and LOS is that VMT measures the amount and distance of automobile travel, which is a regional metric, whereas LOS measures the operations of specific facilities and is generally a better reflection of the degree of local congestion. It is possible that a project may reduce trip lengths (resulting in no impact or beneficial impacts to VMT) but may still result in congestion in the immediate project vicinity (resulting in adverse LOS impacts that may require mitigation). Accordingly, many jurisdictions, including the City of Desert Hot Springs continue to require LOS analysis to assess the operation of local roadways and intersections. Although VMT is the required method to evaluate transportation effects in CEQA documents as of July 1, 2020, the City of Desert Hot Springs also reviews Level of Service (LOS) as part of its planning process. Therefore, a Traffic Impact Analysis (TIA) was prepared for the Proposed Project in addition to a VMT analysis. The TIA (Ganddini Group, Inc. 2021c; Appendix E) and VMT analysis (Ganddini Group, Inc 2021d; Appendix F) are summarized below.

3.7.1 Environmental Setting

The Proposed Project site is located east of Indian Canyon Drive between 18th Avenue and 19th Avenue in the City of Desert Hot Springs. Regional access to the Proposed Project site is provided by the I-10 freeway located approximately 0.5 mile south of the project site and State Route 62 (SR-62) located approximately four miles west of the Proposed Project site. North-south circulation for the Project Area is provided by Indian Canyon Drive. East-west circulation for the Proposed Project Area is provided by Pierson Boulevard, Dillon Road, 20th Avenue, and Garnet Avenue. There are currently no transit lines in the immediate vicinity of the Proposed Project site. The nearest transit line to the Proposed Project is located approximately 3 miles to the east at Two Bunch Palms Trail and West Drive. There are currently no existing bicycle facilities in the immediate project vicinity (Ganddini Group Inc. 2021c).

As described in Section 2.4.1, offsite street improvements (construction of the street to its ultimate half-section width along the Project boundary, including landscaping and parkway improvements) have been completed for 18th Avenue, 19th Avenue, Calle De Los Ramos, and Indian Canyon Drive. Additionally, a new traffic signal at Indian Canyon Drive and the Specific Plan driveway is 90 percent complete. These improvements were required to comply with Mitigation Measures TM-5 through TM-9 (see Sections 2.4.2 and 3.7.4), which were adopted with the Approved Specific Plan.

The environmental setting for this EIR is 2021, because the Notice of Preparation was published on August 4, 2021. CEQA Guidelines Section 15125 states that the environmental setting is the physical environmental conditions as they exist at the time the Notice of Preparation is published. The environmental setting constitutes the baseline physical conditions by which a lead agency determines whether an impact is significant.

3.7.1.1 Vehicle Miles Traveled Setting

The approved Coachillin' Specific Plan was approved in 2017 and consisted of approximately 2.8 million square feet of building envelope for cannabis cultivation, processing, and distribution uses and 1,510 employees. The estimated number of employees associated with approved uses on Parcels 30 and 31 were 135 industrial employees. VMT was not analyzed at the time of the Approved Specific Plan because VMT was added as a traffic metric for CEQA analysis after 2017. However, the VMT estimated for Riverside County under existing conditions (2021), reflecting the approved uses of the Specific Plan, is 64,533,860 VMT or 19.21 VMT per service population (SP). SP includes population plus employment in Riverside County. Providing the VMT per SP provides a transportation efficiency metric that allows the user to compare the Project to the region for the purposes of identifying transportation impacts.

3.7.1.2 Level of Service Setting

The existing conditions LOS for the study intersections is provided in Table 3.7-1, and the locations of the intersections are shown in Figure 3-4.

As shown in Table 3.7-1, all intersections operate within an acceptable LOS during peak hours under existing conditions with the exception of the following intersections:

- Indian Canyon Drive/Dillon Road - Intersection 2 (AM peak hour)
- Indian Canyon Drive/19th Avenue - Intersection 6 (AM peak hour)
- Little Morongo Road/Dillon Road - Intersection 14 (AM peak hour)

According to the TIA, per the California Manual of Uniform Traffic Control Devices (2014) Warrant 3 (peak hour volume warrant) traffic signals are warranted at following intersections for existing conditions:

- Indian Canyon Drive/Pierson Boulevard - Intersection 1
- Indian Canyon Drive/Dillon Road - Intersection 2
- Little Morongo Road/Dillon Road - Intersection 14

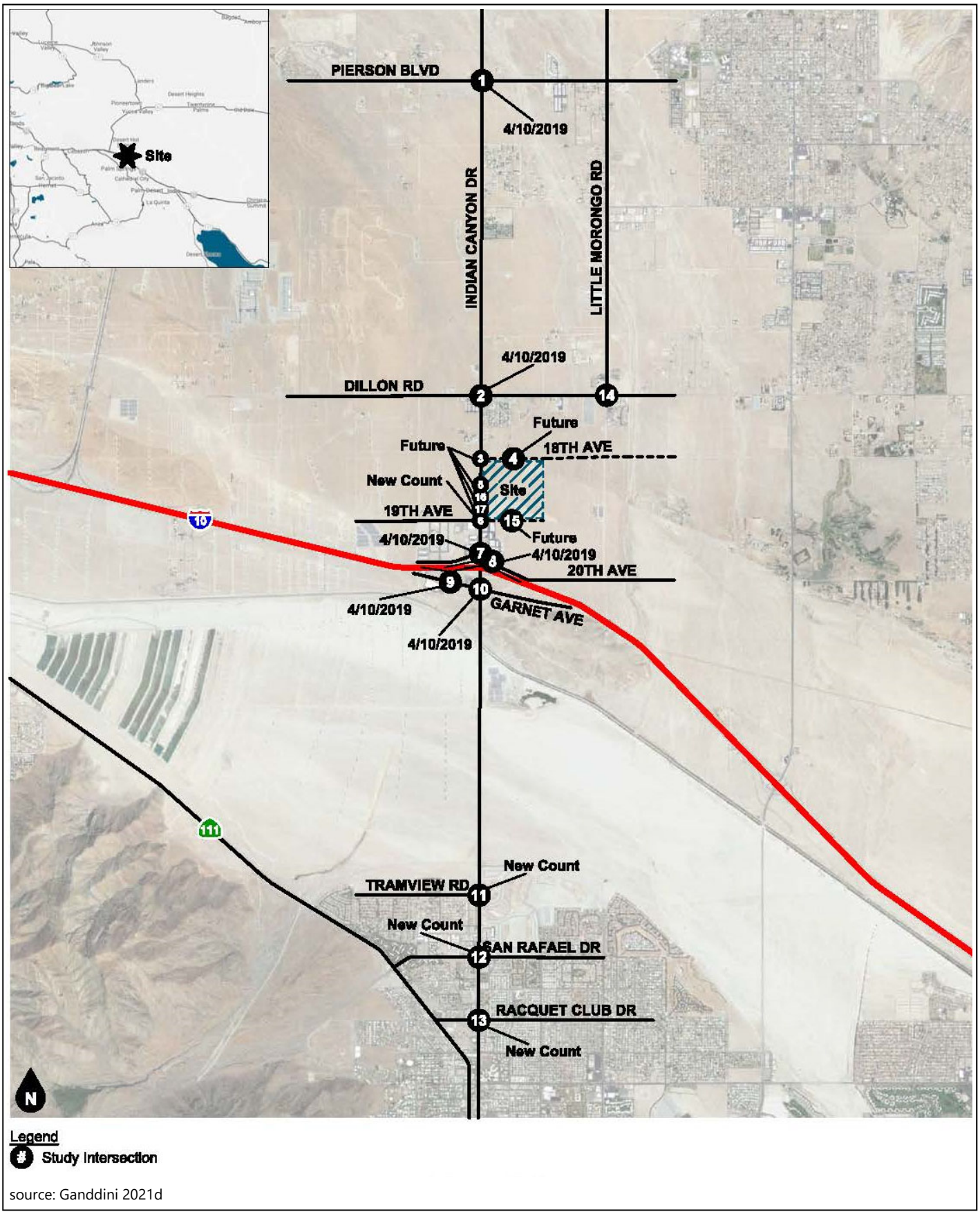
Table 3.7-1. Existing Intersection Levels of Service (2021)

Study Intersection	Traffic Control	Weekday AM Peak		Weekday PM Peak		Saturday Mid-Day Peak	
		Delay[1]	LOS	Delay[1]	LOS	Delay[1]	LOS
1. Indian Canyon Dr at Pierson Blvd	AWS	18.4	C	15.0	B	11.6	B
2. Indian Canyon Dr at Dillon Road	AWS	63.4	F	22.4	C	14.1	B
6. Indian Canyon Dr at 19th Ave	CSS	32.0	D	27.2	D	15.1	C
7. Indian Canyon Dr at 20th Ave	TS	15.2	B	15.7	B	13.9	B
8. I-10 WB Ramps at 20th Ave	TS	24.5	C	23.5	C	25.4	C
9. I-10 EB Ramps at Garnet Ave	TS	16.1	B	14.6	B	16.3	B
10. Indian Canyon Dr at Garnet Ave	TS	15.2	B	14.3	B	14.9	B
11. Indian Canyon Dr at Tramview Rd	CSS	24.7	C	11.7	B	10.8	B
12. Indian Canyon Dr at San Rafael Dr	TS	15.8	B	17.2	B	13.9	B
13. Indian Canyon Dr at Racquet Club Rd	TS	15.6	B	16.1	B	15.8	B
14. Little Morongo Rd at Dillon Rd	AWS	46.8	E	15.6	C	10.9	B

Source: Ganddini Group, Inc. 2021c

Notes: AWS = All-Way Stop; TS = Traffic Signal; CSS = Cross Street Stop; EB=east bound; WB = west bound; LOS = level of service

[1]Delay is shown in seconds/vehicle based on Highway Capacity Manual (HCM) method. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst individual lane (or movements sharing a lane). Shading indicates LOS E or F.



source: Ganddini 2021d

Figure 3-4 Traffic Impact Analysis Intersections

2016-219 Coachillin Specific Plan

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

3.7.2 Regulatory Setting

3.7.2.1 Federal

There are no federal regulations pertaining to a Traffic Impact Analysis (TIA) (Gandini 2021c).

3.7.2.2 State

California Department of Transportation Guidance for Traffic Studies

As stated in the Guide for the Preparation of Traffic Impact Studies (State of California, 2002), "California Department of Transportation endeavors to maintain a target Level of Service (LOS) at the transition between LOS "C" and LOS "D" on state highway facilities". The California Department of Transportation to determine the appropriate target Level of Service. For consistency with local requirements, this analysis defines LOS D as the minimum acceptable LOS for State Highway Facilities (Gandini 2021c).

California Senate Bill 743

California Senate Bill 743 (SB 743) directs the State Office of Planning and Research (OPR) to amend the CEQA Guidelines for evaluating transportation impacts to provide alternatives to LOS that "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." In December 2018, the California Natural Resources Agency certified and adopted the updated CEQA Guidelines package. The amended CEQA Guidelines, specifically Section 15064.3, recommend the use of VMT as the primary metric for the evaluation of transportation impacts associated with land use and transportation projects. In general terms, VMT quantifies the amount and distance of automobile travel attributable to a project or region. All agencies and projects State-wide are required to utilize the updated CEQA guidelines recommending use of VMT for evaluating transportation impacts as of July 1, 2020.

The updated CEQA Guidelines allow for lead agency discretion in establishing methodologies and thresholds provided there is substantial evidence to demonstrate that the established procedures promote the intended goals of the legislation. Where quantitative models or methods are unavailable, Section 15064.3 allows agencies to assess VMT qualitatively using factors such as availability of transit and proximity to other destinations. The Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA provides technical considerations regarding methodologies and thresholds with a focus on office, residential, and retail developments as these projects tend to have the greatest influence on VMT. VMT was not previously analyzed for the 2017 Approved Specific Plan because it was not required under CEQA at the time.

3.7.2.3 Regional

County of Riverside General Plan

The definition of an intersection deficiency has been obtained from the County of Riverside GP. The GP states that peak hour intersection operations of LOS C or better are generally acceptable along all County maintained roads and conventional State Highways. As an exception, LOS D may be allowed in Community Development areas, only at intersections of any combination of Secondary Highways, Major

Highways, Arterial Highways, Urban Arterial Highways, Expressways, conventional state highways or freeway ramp intersections (Gandini 2021c).

3.7.2.4 Local

City of Desert Hot Springs

The City of Desert Hot Springs has established LOS D as the minimum acceptable LOS (Gandini 2021c).

The following General Plan policies apply to development in the City:

Policy MI-3.1: Safety Prioritization. Design, plan, and operate streets to prioritize the safety of the most vulnerable roadway user.

Policy MI-10.3: Impact Fees. Ensure that impact fees provide adequate funding for necessary transportation improvements that will benefit all travel modes, while also incentivizing development that is less dependent on expensive, new transportation.

Policy MI-10.4: Mitigation Fees. Continue to support programs that allow for traffic mitigation fees. Seek to adjust mitigation fee programs when needed so that developments pay fair-share contributions toward improvements that result in reductions in air pollutant and GHG emissions and traffic impacts generated by the development.

3.7.3 Methodology

3.7.3.1 Intersection Delay (Level of Service) Methodology

The technique used to assess the performance of intersections is known as the intersection delay methodology based on the procedures contained in the Highway Capacity Manual (Transportation Research Board, 6th Edition). The methodology considers the traffic volume and distribution of movements, traffic composition, geometric characteristics, and signalization details to calculate the average control delay per vehicle and corresponding Level of Service. Control delay is defined as the portion of delay attributed to the intersection traffic control (such as a traffic signal or stop sign) and includes initial deceleration, queue move-up time, stopped delay, and final acceleration delay. The intersection control delay is then correlated to Level of Service based on the following thresholds:

Level of Service	Intersection Control Delay (Seconds per Vehicle)	
	Signalized Intersection	Unsignalized Intersection
A	≤ 10.0	≤ 10.0
B	>10.0 to ≤ 20.0	>10.0 to ≤ 15.0
C	>20.0 to ≤ 35.0	>15.0 to ≤ 25.0

Level of Service	Intersection Control Delay (Seconds per Vehicle)	
	Signalized Intersection	Unsignalized Intersection
D	>35.0 to ≤ 55.0	>25.0 to ≤ 35.0
E	>55.0 to ≤ 80.0	>35.0 to ≤ 50.0
F	>80.0	>50.0

Level of Service is used to qualitatively describe the performance of a roadway facility, ranging from Level of Service A (free-flow conditions) to Level of Service F (extreme congestion and system failure). At intersections with traffic signal or all way stop control, Level of Service is determined by the average control delay for the overall intersection. At intersections with cross street stop control (i.e., one- or two-way stop control), Level of Service is determined by the average control delay for the worst individual movement (or movements sharing a single lane).

Intersection delay analysis was performed using the Vistro (Version 6.00-00) software. Saturation flow rates of 1,800 vehicles per hour of green for through and right turn lanes and 1,700 vehicles per lane for single left turn lanes, 1,600 vehicles per lane for dual left turn lanes, and 1,500 vehicles per lane for triple left turn lanes have been assumed for the capacity analysis. Measured peak hour factors were applied for existing and near-term conditions. Additional information on this model is provided in Appendix E.

3.7.3.2 VMT Methodology

Because the Proposed Project is an amendment to the Approved Specific Plan, both baseline year and cumulative scenarios were reviewed for without and with project conditions using the Riverside Transportation Analysis Model (RIVTAM). Baseline year (2021) conditions were estimated based on linear interpolation between the base year 2012 and future year 2040 model runs. The baseline year was determined because this EIR's NOP was published in 2021. Model runs were performed by AFSHA Consulting, Inc. in accordance with the VMT analysis methodology contained in Appendix E of the Riverside County Transportation Analysis Guidelines (Riverside County 2020), including adjustments for trips outside the County by using the average lengths provided by the County. Additional information is provided in Appendix F.

3.7.4 Thresholds of Significance

The impact analysis provided below is based on the following CEQA Guidelines Appendix G thresholds of significance (Gandini 2021c). Transportation impacts are considered significant when the project would:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities.
- Conflict or be inconsistent with CEQA Guidelines Section 1564.3, subdivision (b).

- Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- Result in inadequate emergency access.

3.7.5 Environmental Impacts

As discussed in Section 2.4.2, Mitigation Measures TM-1 through TM-9 were adopted with the Approved Specific Plan. These mitigations are repeated below for convenience.

TM-1: The following off site intersection improvements shall be constructed to address the project traffic impact at the following study area intersections for the Existing Plus Project (2017) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Provide a northbound right turn lane
  - Provide a second southbound through lane
- Indian Canyon Drive (NS) at 19th Avenue (EW)
  - Install a westbound stop sign and a right turn only lane
  - Provide a southbound left turn lane
  - Provide a westbound right turn lane
  - Restrict eastbound and westbound left turn movements.

TM-2: The following off site intersection improvements shall be constructed to mitigate the Existing Plus Ambient Plus Project (2023) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Convert the northbound right turn lane to a second northbound through lane
- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Restrict eastbound left turn movements

TM-3: The following site intersection improvements shall be constructed to mitigate the Existing Plus Ambient Plus Cumulative Plus Project (2023) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Install a traffic signal

TM-4: The project shall contribute towards the identified cumulative mitigation measure improvements on a fair share basis through payment of the adopted City of Desert Hot Springs Development Impact Fee program. The project's fair share percentage at the intersection of Indian Canyon Road and Dillon Boulevard is approximately 10 percent.

TM-5: The following on-site intersection improvements shall be constructed:

- Indian Canyon Drive (NS) at 18th Avenue (EW)
  - Install a westbound stop sign and a right-turn only sign

- Provide a westbound right-turn only lane
- Provide a northbound right-turn only lane
- Provide a southbound left turn lane

- Project Driveway (NS) at 18th Avenue (EW)
  - Install a northbound stop sign
  - Provide a northbound left-right lane
  - Provide an eastbound through-right lane
  - Prove a westbound left-through lane
- Indian Canyon Drive (NS) at Project Driveway (EW)
  - Install a traffic signal
  - Provide a second northbound through lane
  - Provide a southbound left turn lane
  - Provide a westbound left turn lane
  - Provide a westbound right turn lane

TM-6: Construct 18th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements.

TM-7: Construct 19th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements

TM-8: Calle De Los Romos along the project boundary shall be constructed at its ultimate half-section width, including landscaping and parkway improvements.

TM-9: Indian Canyon Drive along the project boundary should be constructed at its ultimate half-section width as an Urban Arterial (134-foot right-of-way) as identified on the City of Desert Hot Springs General Plan Roadway Classifications Map.

3.7.5.1 Conflicts with Programs, Plans, Ordinance or Policy and Potential Hazards Due to Geometric Design Features or Incompatible Uses

Although VMT is the required method to evaluate transportation effects as of July 1, 2020, the City of Desert Hot Springs also reviews LOS as part of its planning process.

Construction Impacts

Construction associated with the Proposed Project would be typical of commercial land uses and would be similar to the previously-analyzed cannabis cultivation land uses. Considering that construction would be temporary and that the Proposed Project would be required to implement a traffic control plan during construction, per City requirements, impacts associated with the construction of the Proposed Project would be less than significant.

Operational Impacts

Operational impacts from the Proposed Project include increased traffic from new proposed uses on Parcels 30 and 31, when compared to the previously-analyzed cannabis cultivation uses. The unmanned SCE substation previously proposed for Parcel 25 and the proposed parking lot/solar carports are not anticipate to generate trips. Trip generation and impacts for the Specific Plan development, including the new uses of a 175-room hotel and 5,000-seat amphitheater, were modeled for the TIA (Ganddini Group, Inc. 2021c), and are summarized below.

Project Trip Generation. The Proposed Project would modify allowed uses for Parcels 30 and 31 of the Approved Specific Plan. Parcel 30 would include a 175-room hotel, and Parcel 31 would include a 5,000-seat amphitheater, which would have events 4 times per month, on average. Trip generation for the proposed 175-room hotel in Parcel 30 was based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, 2017. Trip generation for the proposed 5,000-seat amphitheater within Parcel 31 was based on operational characteristics provided by the Project Proponent. Trip rates for the industrial portion of the Proposed Project were developed based on surveys from lot owners for their proposed operational activity, including information regarding building square footage, number of employees, shifts, visitors, deliveries, and hours of operation. Adjustments were made for employee shift changes and deliveries during off-peak periods (time periods outside of peak hours (7:00am and 9:00am; 4:00pm and 6:00pm).

The proposed amphitheater at Parcel 31 is anticipated to have a special event and concert frequency of a maximum of four events per month. Table 3.7-2 shows trip generation of the Specific Plan, including the proposed hotel and amphitheater land uses. As shown in Table 3.7-2, when an amphitheater event is assumed, which would generate the greatest number of trips, the entire Specific Plan development, with the Proposed Project, is anticipated to generate approximately 7,419 weekday daily trips with 6,088 Saturday daily trips, including 333 weekday AM peak hour trips, 1,448 weekday PM peak hour trips and 1,440 Saturday mid-day peak hour trips. On special event days, the Proposed Project (hotel and amphitheater only) is forecast to generate a total of approximately 3,963 daily trips on weekdays and 3,933 daily trips on Saturdays. Such events are only anticipated to occur on average four times per month.

Under typical conditions without an amphitheater event, the entire Specific Plan, including the Proposed Project, is anticipated to generate approximately 4,919 weekday daily trips with 3,588 Saturday daily trips, including 333 weekday AM peak hour trips, 448 weekday PM peak hour trips and 375 Saturday mid-day peak hour trips. On a typical non-event day, which is anticipated to be the majority of the time, trip generation associated with the amphitheater is anticipated to be nominal with up to 10 permanent employees. Therefore, on a typical non-event day, the Proposed Project is forecast to generate a total of approximately 1,463 daily trips on weekdays and 1,433 daily trips on Saturdays, primarily associated with the hotel. Trip distribution patterns associated with the Proposed Project were based on a review of the existing volume data, surrounding land uses, designated truck routes, and the local and regional roadway facilities.

Table 3.7-2. Project Trip Generation

Trip Generation Rates[1]

Project				Weekday AM Peak			Weekday PM Peak			Weekday Daily	Saturday Mid-Day Peak			Saturday Daily
No.	Land Use	Code[1]	Unit[2]	In%	Out%	Total	In%	Out%	Total		In%	Out%	Total	
1	Coachillin' Industrial Park Cultivation Building Envelope	Survey[3]	TSF	84%	16%	0.111	40%	60%	0.158	1.689	43%	57%	0.124	1.190
2	Coachillin' Industrial Park Cultivation Employees	Survey[3]	EMP	84%	16%	0.166	34%	66%	0.227	2.289	41%	59%	0.165	1.427
3	Hotel	ITE 310	RM	59%	41%	0.470	51%	49%	0.600	8.360	56%	44%	0.720	8.190
4	Professional Baseball Stadium	ITE 462	ATT	75%	25%	0.020	12%	88%	0.150	1.240	7%	93%	0.230	1.240
5	Outdoor Stadium	SANDAG[4]	SEAT	75%	25%	0.003	12%	88%	0.024	0.200	7%	93%	0.037	0.200
6	Amphitheater Event	Project[5]	SEAT	0%	0%	0.000	85%	15%	0.200	0.500	15%	85%	0.213	0.50

Trips Generated

Project			Weekday AM Peak			Weekday PM Peak			Weekday Daily	Saturday Mid-Day Peak			Saturday Daily
No.	Land Use	Quantity[2]	In	Out	Total	In	Out	Total		In	Out	Total	
A	Coachillin Industrial Park Cultivation Building Envelope	2,800.000 TSF	260	50	310	176	266	442	4,729	148	199	347	3,332
B	Coachillin Industrial Park Cultivation Employees	1,510 EMP	210	41	251	118	225	343	3,456	103	146	249	2,155
C	Hotel	175 RM	48	34	82	54	51	105	1,463	71	55	126	1,433
D	Professional Baseball Stadium	5,000 ATT	75	25	100	90	660	750	6,200	80	1,070	1,150	6,200
E	Outdoor Stadium	5,000 SEAT	10	5	15	15	105	120	1,000	15	170	185	1,000
F	Amphitheater Event	5,000 SEAT	-	-	-	850	150	1,000	2,500	160	905	1,065	2,500
Total Project Trips with Events (B+C+F)			258	75	333	1,022	426	1,448	7,419	334	1,106	1,440	6,088
Total Project Trips without Events (B+C)			258	75	333	172	276	448	4,919	174	201	375	3,588

Source: Ganddini Group, Inc. 2021c

Notes:

[1]Institute of Transportation Engineers (ITE), Trip Generation Manual, 9th Edition, 2012.

[2]TSF = Thousand Square Feet; EMP = Employees; ATT = Attendees; SEAT = Seats

[3]Customized trip generation rates estimated based on surveys from lot owners of their proposed operations, which includes information on number of employees, shifts, visitors, deliveries, and hours of operation. Additional adjustments have been made for employee shift changes and deliveries occurring during street off-peak periods.

[4]San Diego Association of Governments (SANDAG), Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002.

[5]A maximum of one event per day, 4 attendees (seats) riding in each vehicle which one vehicle generates 2 trip-ends per day [(1 vehicle / 4 seat) x 2 trips = 0.500 trips per seat]. No event during the weekday AM peak hour. For a weekday afternoon event, 80% of the attendees arrive during the weekday PM peak hour [(1 vehicle / 4 seat) x 80% = 0.200 PM trips per seat] with a directional split of 85% inbound and 15% outbound. For a Saturday event, 85% of the attendees arrive during the Saturday mid-day peak hour [(1 vehicle / 4 seat) x 85% = 0.213 mid-day trips per seat] with a directional split of 15% inbound and 85% outbound.

Future Volume Forecasts. Future volume forecasts used existing volumes increased by a growth rate of two percent per year over two years for Opening Year (2023) conditions. This growth rate equates to a total ambient growth factor of approximately four percent. The ambient growth rate was conservatively applied to all movements at study intersections.

Additionally, to account for future development in the City of Desert Hot Springs, trips generated by pending or approved development projects within the City of Desert Hot Springs were calculated. Total inbound and outbound trips generated during the AM Peak Hour for other development would be to 8,094 trips. Total inbound and outbound trips generated during the PM Peak Hour for other development would be to 7,146 trips. Total inbound and outbound trips generated during the Saturday Peak Hour for other development would be 4,190 trips. Total daily trips for other development would be 47,060 trips.

The TIA analyzed the following five scenarios to determine future volume forecasts:

Existing Plus Project without Amphitheater Event: This scenario adds the project generated trips without the Amphitheater Event trips to existing volumes, providing a typical day project scenario.

Existing Plus Project with Amphitheater Event: This scenario adds the project generated trips with the Amphitheater Event trips to existing volumes, providing a maximum project scenario, which would occur four days per month.

Opening Year (2023) without Project: This scenario combines existing volumes with ambient growth and other development trips.

Opening Year (2023) with Project without Amphitheater Event: This scenario was calculated by adding trips by the project without Amphitheater Event to the Opening Year (2023) Without Project volumes, providing a typical day project scenario.

Opening Year (2023) with Project with Amphitheater Event: This scenario was calculated by adding trips by the project with Amphitheater Event to the Opening Year (2023) Without Project volumes, providing a maximum project scenario, which would occur four days per month.

Additionally, the TIA analyzed the need for traffic control signals at the unsignalized study intersections. The need for traffic signals is described in the *Future Operational Analysis* section below, and the Project would provide fair-share contribution toward these signals as described in Mitigation Measures TM-1 through TM-3.

Future Operational Analysis

Existing Plus Project without Amphitheater Event. As shown in Table 3.7-3, LOS is forecasted to operate within acceptable LOS (D or better) during the peak hours for *Existing Plus Project without Amphitheater Event* conditions, with the exception of the following study intersections:

- Indian Canyon Drive/Dillon Road - Intersection 2 (AM peak hour)
- Indian Canyon Drive/ Project Driveway - Intersection 5 (AM and PM peak hours)
- Indian Canyon Drive/19th Avenue – Intersection 6 (AM and PM peak hours)
- Little Morongo Road/Dillon Road - Intersection 14 (AM peak hour)

Impacts would be less than significant with the implementation of Mitigation Measures TM-1 and TM-2 (see updated mitigation measures in Section 3.7.6), which provide improvements to the affected intersections to allow them to operate at an acceptable level of service.

Existing Plus Project with Amphitheater Event. As shown in Table 3.7-4, LOS is forecasted to operate within acceptable LOS (D or better) during the peak hours for *Existing Plus Project with Amphitheater Event* conditions, with the exception of the following study intersections:

- Indian Canyon Drive/Dillon Road - Intersection 2 (AM peak hour)
- Indian Canyon Drive/ Project Driveway – Intersection 5 (AM, PM, and Saturday mid-day peak hours)
- Indian Canyon Drive/19th Avenue – Intersection 6 (AM, PM, and Saturday mid-day peak hours)
- Little Morongo Road/Dillon Road – Intersection 14 (AM peak hour)
- Project Driveway/19th Avenue – Intersection 15 (PM peak hour)

Additionally, temporary surges in circulation during an amphitheater event at the following intersections could result in significant, localized impacts:

- Indian Canyon Drive/19th Avenue – Intersection 6
- Project Driveway/19th Avenue – Intersection 15
- Indian Canyon Drive/Parcel 31 Driveway – Intersection 17

Impacts associated with *Existing Plus Project with Amphitheater* scenario would be less than significant with Mitigation Measures TM-1 and TM-2 (see updated mitigation measures in Section 3.7.6), which provide improvements to the affected intersections to allow them to operate at an acceptable level of service.

Opening Year (2023) without Project. LOS is forecasted to operate within acceptable LOS (D or better) during the peak hours for the Opening Year (2021) without Project conditions, with the exception of the following study intersections that are projected to operate at deficient LOS of E or F, even without the Proposed Project:

- Indian Canyon Drive/Pierson Boulevard – Intersection 1 (AM and PM peak hours)
- Indian Canyon Drive/Dillon Road – Intersection 2 (AM, PM, and Saturday mid-day peak hours)
- Indian Canyon Drive/19th Avenue – Intersection 6 (AM, PM, and Saturday mid-day peak hours)
- Little Morongo Road/Dillon Road – Intersection 14 (AM, PM, and Saturday mid-day peak hours)

Opening Year (2023) with Project without Amphitheater Event. As shown in Table 3.7-5, LOS is forecasted to operate within acceptable LOS (D or better) during the peak hours for the *Opening Year (2023) with Project without Amphitheater Event* conditions, with the exception of the following study intersections:

- Indian Canyon Drive/Pierson Boulevard – Intersection 1 (AM and PM peak hours)
- Indian Canyon Drive/Dillon Road – Intersection 2 (AM, PM, and Saturday mid-day peak hours)
- Indian Canyon Drive/Project Driveway – Intersection 5 (AM, PM, and Saturday mid-day peak hours)
- Indian Canyon Drive/19th Avenue – Intersection 6 (AM, PM, and Saturday mid-day peak hours)
- Little Morongo Road/Dillon Road – Intersection 14 (AM, PM, and Saturday mid-day peak hours)

Impacts would be less than significant with the implementation of Mitigation Measure TM-3 (see updated mitigation measures in Section 3.7.6), which provide improvements to the affected intersections to allow them to operate at an acceptable level of service.

Opening Year (2023) with Project with Amphitheater Event. As shown in Table 3.7-6, LOS is forecasted to operate within acceptable LOS (D or better) during the peak hours for the *Opening Year (2023) with Project with Amphitheater Event* conditions, with the exception of the following study intersections:

- Indian Canyon Drive/Dillon Road – Intersection 2 (AM and PM peak hours)
- Indian Canyon Drive/Project Driveway - Intersection 5 (AM, PM, and Saturday mid-day peak hours)
- Indian Canyon Drive/19th Avenue - Intersection 6 (AM, PM, and Saturday mid-day peak hours)
- Little Morongo Road/Dillon Road - Intersection 14 (AM, PM, and Saturday mid-day peak hours)
- Project Driveway/19th Avenue - Intersection 15 (PM peak hour)

Temporary surges in circulation during an amphitheater event at the following intersections could result in significant, localized impacts:

- Indian Canyon Drive/19th Avenue – Intersection 6
- Project Driveway/19th Avenue – Intersection 15
- Indian Canyon Drive/Parcel 31 Driveway – Intersection 16

Impacts associated with *Existing Plus Project with Amphitheater Event* scenario would be less than significant with Mitigation Measures TM-3 (see updated mitigation measures in Section 3.7.6) which provides improvements to the affected intersections to allow them to operate at an acceptable level of service.

Table 3.7-3. Existing Plus Project without Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS[1]	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
1. Indian Cyn Dr at Pierson Blvd	AWS	18.4	C	18.9	C	+0.5	No	15.0	B	15.3	B	+0.3	No	11.6	B	11.8	B	+0.2	No
2. Indian Cyn Dr at Dillon Blvd •New Traffic Signal; NB Left Turn; SB Left Turn; EB Left Turn; WB Left Turn	AWS	63.4	F	70.3	F	+6.9	Yes	22.4	C	26.3	D	+3.9	No	14.1	B	14.8	B	+0.7	No
	TS			16.9	B	-46.5	No			11.1	B	-11.3	No			11.6	B	-2.5	No
3. Indian Cyn Dr at 18th Ave •WB Stop Sign; NB Right Turn; SB Left Turn; Restrict WB Left Turn; WB Right Turn Lane	CSS	0.0	A	10.5	B	+10.5	No	0.0	A	15.0	C	+15.0	No	0.0	A	10.8	B	+10.8	No
4. Project Dwy at 18th Ave •NB Stop Sign; NB Left/Right Turn; EB Thru/Right; WB Left/Thru	CSS	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No
5. Indian Cyn Dr at Project Dwy •New Traffic Signal; SB Left Turn; WB Left/Right Turn	CSS	0.0	A	60.6	F	+60.6	Yes	0.0	A	333.5	F	+333.5	Yes	0.0	A	37.8	E	+37.8	Yes
	TS			5.4	A	+5.4	No			11.4	B	+11.4	No			8.2	A	+8.2	No
6. Indian Cyn Dr at 19th Ave •WB Stop Sign; SB Left Turn; Restrict EB/WB Left Turns; WB Right Turn	CSS	32.0	D	49.3	E	+17.3	Yes	27.2	D	47.8	F	+20.6	Yes	15.1	C	21.6	C	+6.5	No
	CSS			17.4	C	-14.6	No			15.9	C	-11.3	No			12.7	B	-2.4	No
7. Indian Cyn Dr at 20th Ave	TS	15.2	B	16.0	B	+0.8	No	15.4	B	16.6	B	+0.9	No	13.9	B	14.6	B	+0.7	No

Table 3.7-3. Existing Plus Project without Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS[1]	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
8. I-10 WB Ramps at 20th Ave	TS	24.5	C	24.9	C	+0.4	No	23.5	C	23.8	C	+0.3	No	25.4	C	25.6	C	+0.2	No
9. I-10 EB Ramps at Garnet Ave	TS	16.1	B	16.2	B	+0.1	No	14.6	B	14.5	B	-0.1	No	16.3	B	16.3	B	-	No
10. Indian Cyn Dr at Garnet Ave	TS	15.2	B	15.6	B	+0.4	No	14.3	B	14.4	B	+0.1	No	14.9	B	15.0	B	+0.1	No
11. Indian Cyn Dr at Tramview Rd	CSS	24.7	C	25.3	D	+0.6	No	11.7	B	12.0	B	+0.3	No	10.8	B	11.0	B	+0.2	No
12. Indian Cyn Dr at San Rafael Dr	TS	15.8	B	15.9	B	+0.1	No	17.2	B	17.3	B	+0.1	No	13.9	B	14.0	B	+.01	No
13. Indian Cyn Dr at Racquet Club Rd	TS	15.6	B	15.7	B	+0.1	No	16.1	B	16.2	B	+0.1	No	15.8	B	15.8	B	-	No
14. Little Morongo Rd at Dillon Rd	AWS	46.8	E	48.9	E	+2.1	Yes	15.6	C	16.1	C	+0.5	No	10.9	B	11.1	B	+0.2	No
•New Traffic Signal	TS			20.9	C	-25.9	No			13.9	B	-1.7	No			15.7	B	+4.8	No
15. Project Dwy at 19th Ave •SB Stop Sign; SB Left/Right Turn; EB Left/Thru; WB Thru/Right	CSS	0.0	A	8.5	A	+8.5	No	0.0	A	8.4	A	+8.4	No	0.0	A	8.4	A	+8.4	No
16. Indian Cyn Dr at Parcel 30 Dwy •WB Stop Sign; WB Right Turn	CSS	0.0	A	12.2	B	+12.2	No	0.0	A	16.2	C	+16.2	No	0.0	A	11.7	B	+11.7	No
17. Indian Cyn Dr at Parcel 31 Dwy •WB Stop Sign; WB Right Turn	CSS	0.0	A	12.4	B	+12.4	No	0.0	A	16.5	C	+16.5	No	0.0	A	11.9	B	+11.9	No

Source: Ganddini Group, Inc. 2021c

Notes: [1]EB=eastbound; WB=westbound; AWS = All-Way Stop; TS = Traffic Signal; CSS = Cross Street Stop; LOS = Level of Service

[2]Delay is shown in seconds/vehicle based on Highway Capacity Manual (HCM) method. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, Level of Service is based on average delay of the worst individual lane (or movements sharing a lane). Shading indicates LOS E or F.

Table 3.7-4. Existing Plus Project with Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
1. Indian Cyn Dr at Pierson Blvd	AWS	18.4	C	18.9	C	+0.5	No	15.0	B	15.9	C	+0.9	No	11.6	B	11.8	B	+0.2	No
2. Indian Cyn Dr at Dillon Blvd	AWS	63.4	F	70.3	F	+6.9	Yes	22.4	C	30.1	D	+7.7	No	14.1	B	15.6	B	+1.5	No
•New Traffic Signal; NB Left Turn; SB Left Turn; EB Left Turn; WB Left Turn	TS			16.9	B	-46.5	No			11.7	B	-10.7	No			11.7	B	-2.4	No
3. Indian Cyn Dr at 18th Ave •WB Stop Sign; NB Right Turn; SB Left Turn; Restrict WB Left Turn; WB Right Turn Lane	CSS	0.0	A	10.5	B	+10.5	No	0.0	A	15.2	B	+15.2	No	0.0	A	11.2	B	+11.2	No
4. Project Dwy at 18th Ave •NB Stop Sign; NB Left/Right Turn; EB Thru/Right; WB Left/Thru	CSS	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No
5. Indian Cyn Dr at Project Dwy	CSS	0.0	A	60.6	F	+60.6	Yes	0.0	A	389.5	F	+389.5	Yes	0.0	A	44.8	E	+44.8	Yes
•New Traffic Signal; SB Left Turn; WB Left/Right Turn	TS			5.4	A	+5.4	No			11.4	B	+11.4	No			8.2	A	+8.2	No
6. Indian Cyn Dr at 19th Ave	CSS	32.0	D	49.3	F	+17.3	Yes	27.2	D	1729.0	F	+1729.0	Yes	15.1	C	2410.0	F	+2410.0	Yes
•WB Stop Sign with Manual Traffic Control during Event	MTC			3.3	A	-28.7	No			7.8	A	-19.4	No			17.0	B	+1.9	No
7. Indian Cyn Dr at 20th Ave	TS	15.2	B	16.0	B	+0.8	No	15.4	B	28.4	C	+12.7	No	13.9	B	19.1	B	+5.2	No
8. I-10 WB Ramps at 20th Ave	TS	24.5	C	24.9	C	+0.4	No	23.5	C	24.0	C	+0.5	No	25.4	C	26.0	C	+0.6	No
9. I-10 EB Ramps at Garnet Ave	TS	16.1	B	16.2	B	+0.1	No	14.6	B	14.6	B	-	No	16.3	B	17.7	B	+1.4	No

Table 3.7-4. Existing Plus Project with Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?	Existing Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
10. Indian Cyn Dr at Garnet Ave	TS	15.2	B	15.6	B	+0.4	No	14.3	B	20.1	B	+5.8	No	14.9	B	17.0	B	+2.1	No
11. Indian Cyn Dr at Tramview Rd	CSS	24.7	C	25.3	D	+0.6	No	11.7	B	12.7	B	+1.0	No	10.8	B	11.3	B	+0.5	No
12. Indian Cyn Dr at San Rafael Dr	TS	15.8	B	15.9	B	+0.1	No	17.2	B	17.9	B	+0.7	No	13.9	B	14.3	B	+0.4	No
13. Indian Cyn Dr at Racquet Club Rd	TS	15.6	B	15.7	B	+0.1	No	16.1	B	16.3	B	+0.2	No	15.8	B	16.6	B	+0.8	No
14. Little Morongo Rd at Dillon Rd	AWS	46.8	E	48.9	E	+0.6	Yes	15.6	C	17.2	C	+1.6	No	10.9	B	11.4	B	+0.5	No
•New Traffic Signal	TS			20.9	C	-25.9	No			14.4	B	-1.2	No			15.8	B	+4.9	No
15. Project Dwy at 19th Ave																			
•SB Stop Sign; SB Left/Right Turn; EB Left/Thru; WB Thru/Right	CSS	0.0	A	8.4	A	+8.4	No	0.0	A	9.7	A	+9.7	No	0.0	A	22.4	C	+22.4	No
•SB Stop Sign with Manual Traffic Control during Event	MTC			8.3	A	+8.3	No			9.6	A	+9.6	No			22.4	C	+22.4	No
16. Indian Cyn Dr at Parcel 30 Dwy																			
•WB Stop Sign; WB Right Turn	CSS	0.0	A	12.2	B	+12.2	No	0.0	A	16.3	C	+16.3	No	0.0	A	12.1	B	+12.1	No
17. Indian Cyn Dr at Parcel 31 Dwy																			
•WB Stop Sign; WB Right Turn	CSS	0.0	A	12.4	B	+12.4	No	0.0	A	16.8	C	+16.8	No	0.0	A	12.6	B	+12.9	No
•WB Stop Sign with Manual Traffic Control during Event	MTC			1.7	A	+1.7	No	15.0	B	2.1	A	+2.1	No			3.6	A	+3.6	No

Source:
Ganddini Group, Inc. 2021c

Notes: [1]EB = eastbound; WB=westbound; AWS = All-Way Stop; TS = Traffic Signal; CSS = Cross Street Stop; LOS = Level of Service

[2]Delay is shown in seconds/vehicle based on Highway Capacity Manual (HCM) method. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, Level of Service is based on average delay of the worst individual lane (or movements sharing a lane). Shading indicates LOS E or F.

Table 3.7-5. Opening Year (2023) with Project without Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
1. Indian Cyn Dr at Pierson Blvd	AWS	93.5	F	97.9	F	+4.4	Yes	47.5	E	49.7	E	+2.2	Yes	29.0	D	30.3	D	+1.3	No
•New Traffic Signal; NB Left Turn; SB Left Turn; EB Left Turn; WB Left Turn	TS			14.6	B	-78.9	No			14.0	B	-33.5	No			14.4	B	-14.6	No
2. Indian Cyn Dr at Dillon Blvd	AWS	425.6	F	433.3	F	+7.7	Yes	350.8	F	361.2	F	+10.4	Yes	331.9	F	338.9	F	+6.8	Yes
•New Traffic Signal; NB Left Turn; SB Left Turn; EB Left Turn; 2 WB Left Turn; NB Right Turn Overlap	TS			32.5	C	-393.1	No			22.0	C	-328.8	No			19.0	B	-312.9	No
3. Indian Cyn Dr at 18th Ave •WB Stop Sign; NB Right Turn; SB Left Turn; Restrict WB Left Turn; WB Right Turn Lane	CSS	0.0	A	24.0	C	+24.0	No	0.0	A	23.6	C	+23.6	No	0.0	A	19.5	C	+19.5	No
4. Project Dwy at 18th Ave •NB Stop Sign; NB Left/Right Turn; EB Thru/Right; WB Left/Thru	CSS	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No
5. Indian Cyn Dr at Project Dwy	CSS	0.0	A	1679.7	F	+1679.7	Yes	0.0	A	3755.3	F	+3755.3	Yes	0.0	A	1625.8	F	+1625.8	Yes
•New Traffic Signal; SB Left Turn; WB Left/Right Turn	TS			13.5	B	+13.5	No			24.6	C	+22.6	No			13.0	B	+13.0	No
6. Indian Cyn Dr at 19th Ave	CSS	399.9	F	859.0	F	+459.1	Yes	173.0	F	433.2	F	+260.2	Yes	131.1	F	195.9	F	+64.8	Yes
•WB Stop Sign; SB Left Turn; Restrict EB/WB Left Turns; WB Right Turn; 2nd NB/SB Thru	CSS			16.9	C	-383.0	No			15.7	C	-157.3	No			13.7	B	-117.4	No
7. Indian Cyn Dr at 20th Ave	TS	17.3	B	19.6	B	+2.3	No	16.8	B	18.7	B	+1.9	No	14.4	B	15.8	B	+1.4	No
8. I-10 WB Ramps at 20th Ave	TS	24.9	C	25.3	C	+0.4	No	24.2	C	24.4	C	+0.2	No	25.5	C	25.9	C	+0.4	No

Table 3.7-5. Opening Year (2023) with Project without Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
9. I-10 EB Ramps at Garnet Ave	TS	16.1	B	16.4	B	+0.3	No	14.6	B	14.7	B	+0.1	No	16.5	B	16.6	B	+0.1	No
10. Indian Cyn Dr at Garnet Ave	TS	21.1	C	21.9	C	+0.8	No	16.6	B	17.8	B	+1.2	No	19.6	B	20.5	C	+0.9	No
11. Indian Cyn Dr at Tramview Rd	CSS	29.3	D	30.1	D	+0.8	No	12.6	B	12.9	B	+0.3	No	12.3	B	11.5	B	-0.8	No
12. Indian Cyn Dr at San Rafael Dr	TS	16.6	B	16.7	B	+0.1	No	18.0	B	18.1	B	+0.1	No	13.9	B	14.0	B	+0.1	No
13. Indian Cyn Dr at Racquet Club Rd	TS	15.9	B	15.9	B	-	No	16.3	B	16.4	B	+0.1	No	15.7	B	15.9	B	+0.2	No
14. Little Morongo Rd at Dillon Rd	AWS	489.3	F	493.2	F	+3.9	Yes	396.5	F	400.9	F	+4.4	Yes	277.8	F	284.2	F	+6.4	Yes
•New Traffic Signal; NB Left Turn; SB Left Turn; SB Right Turn with Overlap; 2nd EB Left Turn; WB Right Turn with Overlap	TS			35.9	D	-453.4	No			32.6	C	-363.9	No			26.9	C	-250.4	No
15. Project Dwy at 19th Ave •SB Stop Sign; SB Left/Right Turn; EB Left/Thru; WB Thru/Right	CSS	0.0	A	8.4	A	+8.4	No	0.0	A	8.4	A	+8.4	No	0.0	A	8.4	A	+8.4	No
16. Indian Cyn Dr at Parcel 30 Dwy •WB Stop Sign; WB Right Turn	- CSS	0.0	A	30.0	D	+30.0	No	0.0	A	25.1	D	+25.1	No	0.0	A	21.5	C	+21.5	No
17. Indian Cyn Dr at Parcel 31 Dwy •WB Stop Sign; WB Right Turn	- CSS	0.0	A	30.6	D	+30.6	No	0.0	A	25.4	D	+25.4	No	0.0	A	21.9	C	+21.9	No

Source: Ganddini Group Inc, 2021c

Notes: [1]EB = eastbound; WB = westbound; AWS = All-Way Stop; TS = Traffic Signal; CSS = Cross Street Stop; LOS = Level of Service

[2]Delay is shown in seconds/vehicle based on Highway Capacity Manual (HCM) method. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, Level of Service is based on average delay of the worst individual lane (or movements sharing a lane). Shading indicates LOS E or F.

Table 3.7-6. Opening Year (2023) with Project with Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS[1]	Delay[2]	LOS[1]			Delay[2]	LOS[3]	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
1. Indian Cyn Dr at Pierson Blvd	AWS	93.5	F	97.9	F	+4.4	Yes	47.5	E	53.1	F	+5.6	Yes	29.0	D	31.4	D	+2.4	No
•New Traffic Signal; NB Left Turn; SB Left Turn; EB Left Turn; WB Left Turn	TS			14.6	B	-78.9	No			14.2	B	-33.3	No			14.7	B	-14.3	No
2. Indian Cyn Dr at Dillon Blvd	AWS	425.6	F	433.3	F	+7.7	Yes	350.8	F	379.5	F	+28.7	Yes	331.9	F	384.4	F	+16.5	Yes
•New Traffic Signal; NB Left Turn; SB Left Turn; EB Left Turn; 2 WB Left Turn; NB Right Turn Overlap	TS			33.7	C	-391.9	No			22.4	C	-328.4	No			19.3	B	-312.3	No
3. Indian Cyn Dr at 18th Ave •WB Stop Sign; NB Right Turn; SB Left Turn; Restrict WB Left Turn; WB Right Turn Lane	CSS	0.0	A	24.0	C	+24.0	No	0.0	A	23.8	C	+23.8	No	0.0	A	20.2	C	+20.5	No
4. Project Dwy at 18th Ave •NB Stop Sign; NB Left/Right Turn; EB Thru/Right; WB Left/Thru	CSS	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No	0.0	A	8.6	A	+8.6	No
5. Indian Cyn Dr at Project Dwy	CSS	0.0	A	1679.7	F	+1679.7	Yes	0.0	A	4141.6	F	+4141.6	Yes	0.0	A	1806.2	F	+1806.2	Yes
•New Traffic Signal; SB Left Turn; WB Left/Right Turn	TS			13.5	B	+13.5	No			25.8	C	+25.8	No			13.9	B	+13.9	No
6. Indian Cyn Dr at 19th Ave	CSS	399.9	F	859.0	F	+459.1	Yes	173.0	F	9999.9	F	+9826.9	Yes	131.1	F	9999.9	F	+9999.9	Yes
•WB Stop Sign with Manual Traffic Control during Event	MTC			10.4	B	-389.5	No			10.4	B	-162.6	No			38.1	D	-93.1	No

Table 3.7-6. Opening Year (2023) with Project with Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS[1]	Delay[2]	LOS[1]			Delay[2]	LOS[3]	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
7. Indian Cyn Dr at 20th Ave	TS	17.3	B	19.6	B	+2.3	No	16.8	B	37.5	D	+20.7	No	14.4	B	26.8	C	+12.4	No
8. I-10 WB Ramps at 20th Ave	TS	24.9	C	25.3	C	+0.4	No	24.2	C	24.6	C	+0.4	No	25.5	C	26.3	C	+0.8	No
9. I-10 EB Ramps at Garnet Ave	TS	16.1	B	16.4	B	+0.3	No	14.6	B	14.7	B	+0.1	No	16.5	B	16.9	B	+0.4	No
10. Indian Cyn Dr at Garnet Ave	TS	21.1	C	21.9	C	+0.8	No	16.6	B	25.6	C	+9.0	No	19.6	B	33.4	C	+13.8	No
11. Indian Cyn Dr at Tramview Rd	CSS	29.3	D	30.1	D	+0.8	No	12.6	B	13.7	C	+1.1	No	12.3	B	11.8	B	-0.5	No
12. Indian Cyn Dr at San Rafael Dr	TS	16.6	B	16.7	B	+0.1	No	18.0	B	18.6	B	+0.6	No	13.9	B	14.1	B	+0.2	No
13. Indian Cyn Dr at Racquet Club Rd	TS	15.9	B	15.9	B	-	No	16.3	B	16.2	B	+0.2	No	15.7	B	16.2	B	+0.6	No
14. Little Morongo Rd at Dillon Rd	AWS	489.3	F	493.2	F	+3.9	Yes	396.5	F	396.5	F	+12.3	Yes	277.8	F	295.9	F	+18.1	Yes
•New Traffic Signal; NB Left Turn; SB Left Turn; SB Right Turn with Overlap; 2nd EB Left Turn; WB Right Turn with Overlap	TS			35.9	D	-453.4	No			35.5	D	-361.0	No			28.5	C	-249.3	No
15. Project Dwy at 19th Ave •SB Stop Sign; SB Left/Right Turn; EB Left/Thru; WB Thru/Right	CSS	0.0	A	8.4	A	+8.4	No	0.0	A	9.7	A	+9.7	No	0.0	A	22.4	C	+22.4	No
•SB Stop Sign with Manual Traffic Control during Event	MTC			8.3	A	+8.3	No			9.6	A	+9.6	No			22.4	C	+22.4	No

Table 3.7-6. Opening Year (2023) with Project with Amphitheater Event Intersection Levels of Service

Study Intersection[1]	Traffic Control[1]	Weekday AM Peak Hour						Weekday PM Peak Hour						Saturday Mid-Day Peak Hour					
		Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?	Background Traffic		With Project Traffic		Project Change	Significant Impact?
		Delay[2]	LOS[1]	Delay[2]	LOS[1]			Delay[2]	LOS[3]	Delay[2]	LOS			Delay[2]	LOS	Delay[2]	LOS		
16. Indian Cyn Dr at Parcel 30 Dwy •WB Stop Sign; WB Right Turn	CSS	0.0	A	30.0	D	+30.0	No	0.0	A	25.3	D	+25.3	No	0.0	A	22.6	C	+22.6	No
17. Indian Cyn Dr at Parcel 31 Dwy	-																		
•WB Stop Sign; WB Right Turn	CSS	0.0	A	30.6	D	+30.6	No	0.0	A	26.4	D	+26.4	No	0.0	A	26.7	D	+26.7	No
•WB Stop Sign with Manual Traffic Control during Event	MTC	93.5	F	6.8	A	+6.8	No	47.5	E	6.6	A	+6.6	No	29.0	D	6.8	A	+6.8	No

Source: Ganddini Group, Inc. 2021c

Notes: [1]EB = eastbound; WB= westbound; AWS = All-Way Stop; TS = Traffic Signal; CSS = Cross Street Stop; LOS = Level of Service

[2]Delay is shown in seconds/vehicle based on Highway Capacity Manual (HCM) method. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, Level of Service is based on average delay of the worst individual lane (or movements sharing a lane). Shading indicates LOS E or F.

Table 3.7-7 summarizes the trip generation comparison between the Approved Specific Plan and the Proposed Project, without and with the amphitheater event. The Proposed Project will generate more trips than the Approved Specific Plan. It should be noted that the traffic study for the Approved Specific Plan did not analyze Saturday mid-day conditions. As shown in Table 3.7-7, the Proposed Project without amphitheater event will generate additional 1,463 daily trips with additional 82 AM peak hour trips and additional 105 PM peak hour trips in comparison to the Approved Specific Plan. With amphitheater events, the Proposed Project will generate an additional 3,963 daily trips with additional 82 AM peak hour trips and additional 1,105 PM peak hour trips in comparison to the Approved Specific Plan. However, both the Approved Specific Plan and Proposed Project would result in less than significant impacts after the implementation of Mitigation Measures TM-1 through TM-9.

Table 3.7-7. Project Trip Generation Comparison: Approved Specific Plan and Proposed Project

Scenario	Weekday AM Peak	Weekday PM Peak	Weekday Daily	Saturday Mid Day Peak	Saturday Daily
Approved Specific Plan	251	343	3,456	Not Analyzed	Not Analyzed
Proposed Project without Event	333	448	4,919	375	3,588
Proposed Project with Event	333	1,448	7,419	1,440	6,088
Project Trip Difference without Event	+82	+105	+1,463	Not Applicable	Not Applicable
Project Trip Difference with Event	+82	+1,105	+3,963	Not Applicable	Not Applicable

Source: Ganddini Group, Inc. 2021c

Proposed Project Fair Share Contribution

Because the Proposed Project would result in a decrease of traffic LOS for the already affected intersections during *Existing Conditions*, the Proposed Project is required pay its fair share of fees to the City's applicable program for the required mitigations. Some of the intersections currently satisfy the traffic signal warrant based on Existing Conditions without the Proposed Project. The Proposed Project's fair share percentages of identified impacted intersections are approximately 0.7 percent to 9.0 percent at the off-site study intersection locations. Table 3.7-8 provides a breakdown of Proposed Project fair share percentages.

Table 3.7-8. Project Fair Share Intersection Traffic Contribution

Intersection	Peak Hour	Trips				Project % of New Traffic
		Existing 2021	Opening Year (2023) With Project With Amphitheater Event	Project with Amphitheater Event	Total New[1]	
1. Indian Canyon Drive at Pierson Blvd	AM	900	1,373	12	437	2.7%
	PM	1,021	1,464	40	443	9.0%
	Mid-Day	734	1,184	35	450	7.8%
2. Indian Canyon Drive at Dillon Blvd	AM	1,394	2,837	40	1,443	2.8%
	PM	1,410	2,818	111	1,408	7.9%
	Mid-Day	1,006	2,485	88	1,479	5.9%
6. Indian Canyon Drive at 19th Avenue	AM	1,338	2,826	290	1,488	19.5%
	PM	1,224	3,679	1,343	2,455	54.7%
	Mid-Day	848	3,426	1,345	2,578	52.2%
14. Little Morongo Rd at Dillon Rd	AM	1,138	3,155	15	2,017	0.7%
	PM	1,094	2,861	52	1,767	2.9%
	Mid-Day	728	2,300	48	1,572	3.1%

Source: Ganddini Group, Inc. 2021c
Notes: [1]New Traffic = Opening Year (2023) with Project with Amphitheater Event Traffic - Existing Traffic.

3.7.5.2 Consistency with CEQA Guidelines Section 15064.3 Subdivision (b)

Project Screening

The Riverside County VMT guidelines (Riverside County 2020) identify seven screening criteria. If a project falls under one of these criterion, it is presumed to have a less-than-significant VMT impact:

- Small projects
- Projects near high-quality transit
- Local-serving retail
- Affordable housing
- Local essential service
- Map-based screening

- Redevelopment projects

The Proposed Project did not meet any of these screening criteria. Therefore, a more detailed VMT analysis was conducted in accordance with County guidelines.

VMT Analysis

The City of Desert Hot Springs has not established VMT analysis procedures or thresholds of significance. Therefore, the VMT analysis was prepared in accordance with Riverside County guidance and methodology (Ganddini Group 2021d; Riverside County 2020).

The Riverside County Traffic Assessment Guidelines do not identify a VMT threshold specifically for hotel/amphitheater land uses. Based on the customer components of the proposed land uses and the threshold basis recommendations outlined in the County's Traffic Assessment Guidelines, the following threshold of significance was determined to be appropriate for the proposed uses:

- A project VMT impact is considered significant if the project is forecast to cause a net increase in total regional VMT using the County of Riverside as the basis.

Because the Proposed Project is an amendment to the previously-approved Specific Plan, both baseline year and cumulative scenarios were reviewed for without and with Project conditions using the Riverside Transportation Analysis Model (RIVTAM). Table 3.7-9 shows the land use assumptions for the VMT analysis as described below:

- Base Year (2012) No Project – Based on the current RIVTAM base year model
- Base Year (2012) With Project – Based on the current RIVTAM base year model with addition of a new project-only zone with 175 hotel rooms and 10 full-time amphitheater employees.
- Future Year (2040) No Project – Based on the current RIVTAM future year model with updated land use data for the Traffic Analysis Zone (TAZ) containing the project site (TAZ 4500) based on the previously approved Specific Plan that included 1,510 industrial employees.
- Future Year (2040) With Project – Based on the Future Year No Project condition with addition of a new project-only zone with 175 hotel rooms and 10 full-time amphitheater employees and reduction of 135 industrial employees from the parent TAZ.

Baseline year (2021) conditions were estimated based on linear interpolation between the base year 2012 and future year 2040 model runs. The baseline year was determined because this EIR's NOP was published in 2021. Model runs were performed in accordance with the VMT analysis methodology contained in Appendix E of the Riverside County Transportation Analysis Guidelines (Riverside County 2020), including adjustments for trips outside the County by using the average lengths provided by the County.

Daily VMT Analysis. Daily VMT for the County of Riverside region without and with the Proposed Project are shown in Table 3.7-9. Daily VMT for the existing baseline year (2021) was estimated based on linear interpolation between the base year 2012 and future year 2040 values. The daily VMT estimates are based on the seasonally adjusted Coachella Valley Association of Governments (CVAG) submodel.

As shown in Table 3.7-10, the existing (2021) daily VMT for the County of Riverside region is estimated to decrease by approximately 25,944 daily VMT with the Proposed Project. As described previously, the VMT

analysis for transportation focuses on the net change in total VMT for the region between no project and with project conditions, in accordance with County of Riverside guidance. Furthermore, Riverside County guidance focuses on the typical weekday and the RIVTAM VMT model does not include a weekend model because most regional VMT occurs during the week. Because events at the amphitheater would occur mostly on weekends, the typical VMT scenario for weekdays analyzed the hotel at full capacity (175 rooms) and 10 permanent amphitheater employees. The change of use from an unmanned SCE substation to a parking lot with solar carports on Parcel 25 is not anticipated to affect the VMT analysis because the unmanned substation would be expected to generate infrequent (once per week or less) trips for service. The parking lot would serve other uses within the Specific Plan and would not generate its own trips.

Event Day VMT Analysis. Amphitheater event attendees and approximately 100 temporary employees associated with special events at the proposed amphitheater would primarily occur on weekends and cannot be modeled in RIVTAM; therefore, a qualitative/off-model evaluation is described below.

Because amphitheater events are planned to occur four times per month, or approximately once per week, the Proposed Project is forecast to result in a reduction of 155,664 VMT over six non-event days per week (6 days x 25,944 daily VMT reduction). Based on 2,500 trips per day forecasted for the amphitheater on event days, the average trip length for amphitheater-generated trips would need to exceed 62 miles in order for the event day VMT to outweigh the weekly VMT savings on non-event days (155,644 VMT/2,500 daily trips = 62.2 miles). Based on VMT analysis for a comparable proposed arena venue in the Coachella Valley, approximately 86 percent of concert-related trips are forecast to originate within 62 miles and approximately 58 percent of concert-related trips are forecast to originate within 20 miles (Riverside County 2021). Therefore, the average trip length associated with the proposed amphitheater on event days is expected to be well below 62 miles. Without accounting for internal capture reductions between the hotel and the amphitheater that would further reduce VMT (amphitheater patrons may choose to stay at the hotel and walk to the amphitheater), the addition of VMT associated with the amphitheater on event days occurring once per week to the weekday non-event day VMT occurring six days per week is still expected to result in a net decrease VMT. Therefore, the Proposed Project, including consideration of event day/weekend VMT, is forecast to result in no significant VMT impact based on the County-established thresholds and a net decrease in the total VMT for the region. No mitigation is necessary.

Table 3.7-9. Riverside Transportation Analysis Model Inputs

Model Scenario[1, 2]	Parent Zone (TAZ 4500)			Project TAZ				County of Riverside		
	Population	Employment	Service Population	Population	Employment	Service Population	Hotel Rooms	Population	Employment	Service Population
Base Year (2012) No Project	461	109	570	0	0	0	0	2,244,929	616,687	2,861,616
Base Year (2012) With Project	461	109	570	0	10	10	175	2,244,468	616,588	2,861,056
Project Baseline (2021) No Project	503	559	1,062	0	0	0	0	2,546,573	796,379	3,342,952
Project Baseline (2021) With Project	503	516	1,019	0	10	10	175	2,546,071	795,830	3,341,901
Future Year (2040) No Project	591	1,510	2,101	0	0	0	0	3,183,378	1,175,729	4,359,107
Future Year (2040) With Project	591	1,375	1,966	0	10	10	175	3,182,787	1,174,229	4,357,016

Source: Ganddini Group, Inc. 2021d

Notes:[1]2021 inputs are estimates based on linear interpolation between 2012 and 2040 data

[2] Project land use inputs are based on 175 hotel rooms and 10 permanent amphitheater employees. Parent TAZ was reduced by 135 employees associated with the currently-approved land use.

TAZ = Traffic Analysis Zone

Table 3.7-10. No Project and With Project Daily VMT for County of Riverside Region

Year	No Project		With Project		VMT Change	VMT/SP Change
	VMT	VMT/SP	VMT	VMT/SP		
2012	54,052,023	18.89	54,040,889	18.89	-11,134	0
2021	64,533,860	19.21	64,507,916	19.21	-25,944	0
2040	86,662,182	19.88	86,604,974	19.88	-57,208	0

Source: Ganddini Group, Inc. 2021d
Notes:VMT = Vehicle Miles Traveled; SP = Service Population, based in RIVTAM model permanent service population.

The resulting net decrease in VMT is expected because the proposed hotel/amphitheater uses would generate fewer and more localized trips on a typical weekday than the previously approved uses. The proposed hotel and amphitheater would be a destination/trip end point in conjunction with each other and the other development in the Approved Specific Plan, reducing trips and trip lengths in the region because the mixed use development encourages less driving. Customers would drive to the site to use the hotel and amphitheater as well as other commercial development within the Approved Specific Plan. In comparison, the previously approved commercial/industrial uses for Parcels 30 and 31 would generate trips from approximately 135 employees and potentially from industrial truck trips on daily basis with less interaction with other land uses in the Approved Specific Plan.

The Proposed Project would not result in a significant VMT impact based on the County-established thresholds. No mitigation is necessary.

3.7.5.3 Cumulative Impacts

The traffic models described in Section 3.7.3.1 and 3.7.3.2 incorporate traffic estimates for future projects in the region, including trucks from the other uses in the Specific Plan and from the Anaerobic Digester Project. Impacts would be less than significant with Mitigation Measures TM-1 through TM-9. Mitigation Measure AQ-3, which requires a shuttle service during amphitheater event days, would further reduce transportation impacts.

3.7.6 Mitigation Measures

As described in Sections 2.4.2 and 3.3.4, Mitigation Measures TM-1 through TM-9 were adopted with the Approved Specific Plan. The Proposed Project would have similar mitigation to the Approved Specific Plan; however, the timing and details of offsite improvements have changed based on the Proposed Project. *Therefore, the previously-approved mitigation measures TM-1 through TM-5 shall be replaced with the updated mitigation measures listed in this section. Mitigation Measures TM-6 through TM-9 remain the same as adopted with the Approved Specific Plan, and are also repeated below for convenience.*

TM-1: The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the significantly impacted intersections for Existing Plus Project conditions, without and with Amphitheater Event:

Indian Canyon Drive/Dillon Road – Intersection 2
- Install traffic signal (signal warrant currently satisfied under Existing conditions)
- Provide northbound left turn lane
- Provide southbound left turn lane
- Provide eastbound left turn lane
- Provide westbound left turn lane

Little Morongo Road/Dillon Road – Intersection 14
- Install traffic signal (signal warrant currently satisfied under Existing conditions)

TM-2: The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the significantly impacted intersections for Existing Plus Project conditions, without and with Amphitheater Event:

Indian Canyon Drive/18th Avenue – Intersection 3
- Install westbound stop sign
- Provide northbound right turn lane
- Provide southbound left turn lane
- Restrict westbound left turn and provide westbound right turn lane

Project Driveway/18th Avenue – Intersection 4
- Install northbound stop sign
- Provide northbound left/right turn lane
- Provide eastbound through/right lane
- Provide westbound left/through lane

Indian Canyon Drive/Project Driveway – Intersection 5
- Install traffic signal (signal warrant currently satisfied under Existing Plus Project Without Amphitheater Event conditions)
- Provide southbound left turn lane
- Provide westbound left/right turn lane

Indian Canyon Drive/19th Avenue – Intersection 6
- Install westbound stop sign
- Provide southbound left turn lane
- Restrict eastbound and westbound left turn and provide westbound right turn lane
- Provide a second northbound/eastbound through lane
- Provide manual traffic control during amphitheater events

Project Driveway/19th Avenue – Intersection 15
- Install southbound stop sign
- Provide southbound left/right turn lane
- Provide eastbound left/through lane
- Provide westbound through/right lane
- Provide manual traffic control during amphitheater events

Indian Canyon Drive/Parcel 30 Driveway – Intersection 16
- Install westbound stop sign
- Provide westbound right turn lane

Indian Canyon Drive/Parcel 31 Driveway – Intersection 17
- Install westbound stop sign
- Provide westbound right turn lane
- Provide manual traffic control during amphitheater events

TM-3: The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the deficient intersections for Opening Year (2023) With Project conditions, without and with Amphitheater Event:

- Indian Canyon Drive/Pierson Boulevard – Intersection 1
  - Install traffic signal (signal warrant currently satisfied under Existing conditions)
  - Provide northbound left turn lane
  - Provide southbound left turn lane
  - Provide eastbound left turn lane
  - Provide westbound left turn lane
- Indian Canyon Drive/Dillon Road – Intersection 2
  - Install traffic signal (signal warrant currently satisfied under Existing conditions)
  - Provide northbound left turn lane
  - Provide southbound left turn lane
  - Provide eastbound left turn lane
  - Provide two westbound left turn lanes
  - Provide northbound right-turn overlap phasing
- Indian Canyon Drive/19th Avenue – Intersection 6
  - Provide a second northbound through lane
  - Provide a second southbound through lane
- Little Morongo Road/Dillon Road – Intersection 14
  - Install traffic signal (signal warrant currently satisfied under Existing conditions)
  - Provide northbound left turn lane
  - Provide southbound left turn lane
  - Provide southbound right turn lane with overlap phasing
  - Provide a second eastbound left turn lane
  - Provide westbound right turn lane with overlap phasing
  - Provide manual traffic control during events

TM-4: The project shall contribute towards the identified off-site improvements (TM-1 through TM-3) on a fair share basis through payment of the adopted City of Desert Hot Springs Development Impact Fee program.

TM-5: Manual traffic control shall be provided to facilitate the temporary surge in circulation and parking demand during an amphitheater event at the following intersections:

- Indian Canyon Drive/19th Avenue – Intersection 6
- Little Morongo Road/Dillon Road – Intersection 14
- Project Driveway/19th Avenue – Intersection 15
- Indian Canyon Drive at Parcel 31 Driveway – Intersection 17

TM-6: Construct 18th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements.

TM-7: Construct 19th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements

TM-8: Calle de los Romos along the project boundary shall be constructed at its ultimate half-section width, including landscaping and parkway improvements.

TM-9: Indian Canyon Drive along the project boundary should be constructed at its ultimate half-section width as an Urban Arterial (134-foot right-of-way) as identified on the City of Desert Hot Springs General Plan Roadway Classifications Map.

Table 3.7-11 provides a comparison of previously adopted mitigation measures and proposed mitigation measures.

Table 3.7-11. Mitigation Measure Comparison Between Approved Specific Plan and Proposed Project

	Intersection	Approved Specific Plan	Proposed Project	Mitigation Measure Difference With Amphitheater Event[1]
1.	Indian Canyon Dr at Pierson Blvd	No Improvements	New Traffic Signal NB Left Turn SB Left Turn EB Left Turn WB Left Turn	+New Traffic Signal +NB Left Turn +SB Left Turn +EB Left Turn +WB Left Turn
2.	Indian Canyon Dr at Dillon Blvd	New Traffic Signal 2nd NB Thru 2nd SB Thru	New Traffic Signal NB Left Turn SB Left Turn EB Left Turn 2 WB Left Turn NB Right Turn Overlap	-No 2nd NB Thru -No 2nd SB Thru +NB Left Turn +SB Left Turn +EB Left Turn +2 WB Left Turn +NB Right Turn Overlap
3.	Indian Canyon Dr at 18th Ave	WB Stop Sign NB Right Turn SB Left Turn Restrict WB Left Turn WB Right Turn Lane	Same as Approved Specific Plan	Same as Approved Specific Plan
4.	Project Driveway at 18th Ave	NB Stop Sign NB Left/Right Turn EB Thru/Right WB Left/Thru	Same as Approved Specific Plan	Same as Approved Specific Plan

Table 3.7-11. Mitigation Measure Comparison Between Approved Specific Plan and Proposed Project

	Intersection	Approved Specific Plan	Proposed Project	Mitigation Measure Difference With Amphitheater Event[1]
5.	Indian Canyon Dr at Project Driveway	New Traffic Signal SB Left Turn WB Left/Right Turn 2nd NB Thru	New Traffic Signal SB Left Turn WB Left/Right Turn	-No 2nd NB Thru
6.	Indian Canyon Dr at 19th Ave	WB Stop Sign SB Left Turn Restrict East/West Left Turn WB Right Turn	WB Stop Sign SB Left Turn Restrict EB/WB Left Turn WB Right Turn 2nd NB/SB Thru Manual Traffic Control During Event	+2nd NB/SB Thru +Manual Traffic Control during Event
7.	Indian Canyon Dr at 20th Ave	No Improvements	No Improvements	Same as Approved Specific Plan
8.	I-10 WB Ramps at 20th Ave	No Improvements	No Improvements	Same as Approved Specific Plan
9.	I-10 EB Ramps at Garnet Ave	No Improvements	No Improvements	Same as Approved Specific Plan
10.	Indian Canyon Dr at Garnet Ave	No Improvements	No Improvements	Same as Approved Specific Plan
11.	Indian Canyon Dr at Tramview Rd	Restrict EB Left	No Improvements	-No EB Left Restriction
12.	Indian Canyon Dr at San Rafael Dr	No Improvements	No Improvements	Same as Approved Specific Plan
13.	Indian Canyon Dr at Racquet Club Rd	No Improvements	No Improvements	Same as Approved Specific Plan
14.	Little Morongo Rd at Dillon Rd	Not Analyzed	New Traffic Signal NB Left Turn SB Left Turn SB Right Turn with Overlap 2nd EB Left Turn WB Right Turn with Overlap Manual Traffic Control During Event	+New Traffic Signal +NB Left Turn +SB Left Turn +SB Right Turn with Overlap +2nd EB Left Turn +WB Right Turn with Overlap +Manual Traffic Control during Event
15.	Project Driveway at 19th Ave	Not Analyzed	SB Stop Sign SB Left/Right Turn EB Left/Thru WB Thru/Right Manual Traffic Control During Event	+SB Stop Sign +SB Left/Right Turn +EB Left/Thru +WB Thru/Right +Manual Traffic Control during Event

Table 3.7-11. Mitigation Measure Comparison Between Approved Specific Plan and Proposed Project

	Intersection	Approved Specific Plan	Proposed Project	Mitigation Measure Difference With Amphitheater Event[1]
16.	Indian Canyon Dr at Parcel 30 Driveway	Not Analyzed	WB Stop Sign WB Right Turn	+ WB Stop Sign +WB Right Turn
17.	Indian Canyon Dr at Parcel 31 Driveway	Not Analyzed	WB Stop Sign WB Right Turn Manual Traffic Control During Event	+WB Stop Sign +WB Right Turn +Manual Traffic Control during Event

Note: [1]Mitigation measures are the same between the "Without Event" conditions and the "With Amphitheater Event" conditions, except for the following locations where Manual Traffic Control [MTC] are needed during Amphitheater Event: Intersections 6, 14, 15 and 17.

3.7.7 Residual Impacts After Mitigation

After mitigation, traffic impacts would be less than significant.

4 OTHER CEQA CONSIDERTIONS

Chapter 3, *Environmental Review*, discussed impacts of and, where necessary, proposed mitigation measures for, the impacts of the Proposed Project on a project-specific and cumulative basis. State CEQA Guidelines Section 15126 identifies other subjects pertaining to the consideration and discussion of environmental impacts that an EIR is also required to address. State CEQA Guidelines Section 15126.2 sets forth the content requirements for each discussion of these other subjects. This section will provide brief discussions of other topics specifically mandated by CEQA as follows: significant unavoidable impacts, significant irreversible changes, and growth-inducing impacts.

4.1 Summary of Impacts, Including Significant Unavoidable Adverse Impacts

As discussed in Chapter 3 of this EIR, the majority of impacts to air quality, biological resources, energy, greenhouse gas, noise and traffic related to the construction and operation of the Proposed Project would be less than significant or less than significant after the incorporation of mitigation. Significant, unavoidable cumulative impacts to greenhouse gas emissions that would be above thresholds for the entire Specific Plan have been identified when the emissions from the proposed new uses are exchanged with the emissions from the previously-approved cannabis uses. These impacts would remain significant even after the implementation of mitigation measures.

4.1.1.1 Less than Significant Impacts

As described in the Initial Study in Appendix A, the Proposed Project would have less than significant impacts to aesthetics, agriculture/forestry resources, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, population/housing, public services, utilities and service systems, and wildfire. These conclusions are summarized below and more detailed analysis is provided in Appendix A:

- **Agriculture and Forestry Resources:** Implementation of the Proposed Project would not convert Farmland to non-agricultural uses, would not conflict with existing zoning for agricultural use or a Williamson Act contract, and would not involve other changes to the environment that could result in the conversion of Farmland to non-agricultural uses. Implementation of the Proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use.
- **Hazards and Hazardous Materials:** Implementation of the Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The Proposed Project would not 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. The Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school The Project would not be located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The Project is not located within an airport land use plan or within two miles of a public airport and would not result in a safety hazard or excessive noise resulting from being located in

those areas. The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (congestion and access during amphitheater events is discussed in EIR Section 3.7.5 and do not require a separate discussion). The Project would not expose people or structures either directly or indirectly to a significant risk of loss, injury, or death involving wildland fires.

- **Hydrology and Water Quality:** The Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. The Project would not substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, or create or contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The Project is not located in an area subject to seiche, tsunami, or flood hazard. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.
- **Land Use and Planning:** The Proposed Project would not physically divide an established community. The Project would not cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.
- **Mineral Resources:** The Project would not 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 or a locally-important mineral resource recovery site.
- **Population and Housing:** The Project would not induce substantial unplanned population growth in an area either directly or indirectly (see Section 4.3 for additional discussion). The Proposed Project would not displace existing people or housing, necessitating the construction of replacement housing elsewhere.
- **Public Services:** The Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities.
- **Recreation:** The Project would not 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. The Project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

- **Utilities and Service Systems:** The Proposed Project would not result in significant impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities. Sufficient water supplies would be available to serve the Project and reasonably foreseeable future development during normal, dry, or multiple dry years. The Proposed Project would not result in the determination from the wastewater treatment provider that it does not have adequate capacity to serve the Project in addition to the provider's existing commitments. The Project would not generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.
- **Wildfire:** The Proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.

The Initial Study (Appendix A) also recommended further study of energy resources and greenhouse gas emissions in this EIR. As described in Sections 3.4 and 3.5 of this EIR, the Proposed Project was determined to have a less than significant Project-level and cumulative impact on energy resources and a less than significant Project-level impact on greenhouse gas emissions. Mitigation for these impacts is not required.

4.1.1.2 Less than Significant Impacts after Incorporation of Mitigation

As described in the Initial Study in Appendix A, the Proposed Project would have less than significant impacts to cultural resources, tribal cultural resources and geology and soils resources with the implementation of Mitigation Measures CR-1 and CR-4 and GM-1 through GM-3. It was determined in the Initial Study (Appendix A) that no additional cultural resources, tribal cultural resources, geology, soils, or paleontology analysis was required for the Proposed Project and that Mitigation Measures CR-1, CR-4, and GM-1 through GM-3 would continue to reduce impacts to a less than significant level. It should be noted that the 2018 update to the CEQA Guidelines moved the paleontology discussion to the Geology and Soils section of the Initial Study checklist. This update occurred after the 2017 Approved Specific Plan, is administrative in nature, and does not change the analysis of impacts or mitigation measures. Paleontology mitigation measures CR-2 and CR-3 have been moved to the geology mitigation section and renumbered to reflect this change.

CR-1. If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the Applicant shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center, 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-4. In the event that any human remains are discovered, the Applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the Desert Hot Springs Police Department in accordance

with California Health and Safety Code Section 7050.5, and the CEQA Guidelines Section 15064.5. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).

GM-1: Design of structural foundations and definition of remedial grading recommendations shall follow the recommendations in the Earth Systems Southwest Geotechnical Engineering Feasibility Report Update (May 2016) or most recent site-specific geotechnical report.

GM-2 (formerly CR-2): If grading plans show that project-related excavations go deeper than ten (10) feet, a qualified paleontological monitor shall be retained by the site developer(s) to check for fossils. Should construction/development activities uncover paleontological resources, work will be halted in that area and moved to other parts of the project site and the monitor shall determine the significance of these resources. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented as recommended by the monitor.

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

As required in the Initial Study (Appendix A) the Proposed Project's effects on air quality, noise, and transportation were evaluated in this EIR in Sections 3.2, 3.6 and 3.7, respectively. An analysis of biological resources was also added as a resource in this EIR as a result of scoping comments (Section 3.3). All Project-level and cumulative impacts to air quality, biological resources, noise, and transportation would be less than significant with mitigation.

AQ-1: Architectural coatings applied to project buildings are to be limited to 50 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AQ-2: The project applicant shall ensure that all applicable SCAQMD Rules and Regulations are complied with during construction and the construction contractor use construction equipment that have Tier 3 or better engines for any on-site construction.

AQ-3: During an event at the proposed amphitheater, a charter shuttle bus service shall be provided with a pick-up location within the Downtown Palm Springs area. The charter shuttle bus service shall be a reservation-based service provided by the event organizer so that the size of the vehicle and exact schedule can be determined based on the type of event, ticket sales, and demand. At least 25 percent of the tickets sold for each event will include the cost for a shuttle or rideshare option.

BR-1: Prior to construction and issuance of any grading permit, the City of Desert Hot Springs shall ensure compliance with the CVMSHCP and its associated Implementing Agreement and shall ensure that the payment of the CVMSHCP Local Development Mitigation Fee for the Proposed Project is remitted to the Coachella Valley Conservation Commission.

BR-2: Pre-construction burrowing owl surveys shall be conducted no less than 14 days prior to the start of onsite construction activities and within 24 hours prior to ground disturbance in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012 or most recent version). Pre-

construction surveys shall be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the pre-construction surveys confirm occupied burrowing owl habitat, ground-disturbing activities within the vicinity of the burrow shall be immediately halted within a buffer established by a qualified biologist. CDFW shall be notified of positive burrowing owl survey results within 48 hours of detection. The qualified biologist shall coordinate with CDFW to develop avoidance and minimization measures to be approved by CDFW prior to commencing Project activities.

BR-3: Although the Project site is not expected to support desert tortoises, there is a limited possibility of a desert tortoise being present prior to ground disturbance activities if one can get in through one of the gates. For this reason, no more than 14 calendar days prior to the start of ground disturbance activities, the Project biologist shall conduct a pre-construction survey for desert tortoise in order to detect any vagrant desert tortoise that may have wandered onto the site. The survey will be performed as described in the USFWS *Desert Tortoise (Mojave Population) Field Manual* (USFWS 2009 or most recent version). Should desert tortoise presence be confirmed during the survey, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance, minimization, and mitigation measures.

During the active season (April to May and September to October), tortoises are expected to be above-ground or detectable within their burrows (i.e., not aestivating or hibernating). Individual tortoises located within the area proposed for ground-disturbance (including those within burrows) shall be allowed to move outside of the area on their own accord and no work may occur until the tortoise is out of harm's way. Any handling of tortoises for the purpose of relocation will be coordinated with CDFW and USFWS prior to handling them. During the inactive season for tortoises (November through March, June through August), individual tortoises are not expected to be above ground but may be aestivating or hibernating within their burrows. During this period, potential tortoise burrows identified in the pre-activity survey should be flagged by a qualified biologist. An appropriately sized non-disturbance buffer shall be established around each potential tortoise burrow by the qualified biologist who conducted the pre-activity survey.

BR-4: Although the Project site is not expected to support desert kit foxes, there is a limited possibility of a desert kit fox being present prior to ground disturbance activities if one can enter through one of the gates or over the fence. No more than 14 days prior to the beginning of ground disturbance during desert kit fox breeding season (December to February), a qualified biologist shall conduct a pre-construction survey to determine if potential desert kit fox burrows/dens are present within the limits of construction. Pre-construction surveys should include 100 percent visual surveys of the limits of construction. If the pre-construction surveys confirm occupied desert kit fox presence, but no burrow, then the kit fox will be allowed to exit the site on its own accord. If an active burrow or den complex for kit fox is identified, then construction activities shall be immediately halted in the vicinity of the burrow/den, using a buffer determined by the qualified biologist, and the qualified biologist shall notify CDFW to develop avoidance, minimization, and mitigation measures for the burrow and the kit foxes that are present. No disturbance of active burrows/dens shall take

place if juvenile kit fox are present and dependent on parental care, as determined by the Project biologist.

BR-5: To avoid impacts to nesting birds, any grubbing, vegetation removal, or ground-disturbing activity should occur outside peak breeding season (typically February 1 through September 1) to the extent possible. Regardless of the time of year, nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities, Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

BR-6: A qualified biologist shall conduct an education program for all construction personnel involved in earth-moving activities within 30 days of ground disturbing activities. The program shall consist of a presentation that includes a discussion of the biology of the habitats and the species that may be present on the site. The qualified biologist shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. The Employee Education Program should include, but not be limited to (1) best practices for managing waste and reducing activities that can lead to increased occurrences of opportunistic species and the impacts these species can have on wildlife in the area; (2) protected species that have the potential to occur on the Project site including, but not limited to, burrowing owl, desert tortoise, desert kit fox, Le Conte's thrasher, Coachella Valley fringe-toed lizard, flat-tailed horned lizard, Palm Springs pocket mouse, and nesting birds; (3) the importance of ensuring that no refuse or pollution is left within work areas during Project activities. Interpretation shall be provided for any non-English speaking workers and the same instruction shall be provided for any new workers prior to their performing any work on the site.

Workers will be notified to inform the Project biologist if there are any of the aforementioned biological resources observed within work areas that cannot leave on their own accord. The biologist will relocate species as permitted. Note that listed species can be moved only with prior approval by CDFW and/or USFWS.

BR-7: The following lighting standards shall be included in the Specific Plan's Design Standards:

- Using high-efficiency luminaries and bulbs, and maximizing user control, to minimize lighting energy demand

- Lighting used to illuminate the amphitheater performance area must be either directed spotlighting or full cutoff lighting. If directed spotlighting is used, the light source must be located and designed such that it is not visible beyond property boundaries
- Lighting used to illuminate the amphitheater performance area shall only be turned on during performances or rehearsals
- Lighting used to illuminate the signage, seating areas, pathways and other areas of the amphitheater must meet all standards of the Specific Plan Design Guidelines and the City of Desert Hot Springs Municipal Code sections 17.40.140 and 17.40.170.

BR-8: All requirements of the Specific Plan's Streambed Alteration Agreement, including the Habitat Mitigation and Monitoring Plan, shall be followed.

NM-1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NM-2: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

NM-3: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

NM-4: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

NM-5: Proposed hotel window/glass sliding glass doors directly facing Indian Canyon Drive should have a Sound Class Transmission rating of at least 25 in order to achieve interior noise levels no greater than 45 dBA CNEL from future traffic noise levels associated with North Indian Canyon Road.

NM-6: Prior to construction, the project proponent shall provide evidence that all proposed buildings that may be occupied (except for factories, stadiums, storage, enclosed parking structures, and utility buildings) shall be constructed utilizing wall and roof-ceiling assemblies exposed to Indian Canyon Drive, shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 for all buildings that will house occupants that may be affected by the traffic noise, as required by the California Building Code (2019), Title 24, Part 2 Chapter 5 (Nonresidential Mandatory Measures).

TM-1: The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the significantly impacted intersections for Existing Plus Project conditions, without and with Amphitheater Event:

Indian Canyon Drive/Dillon Road – Intersection 2
- Install traffic signal (signal warrant currently satisfied under Existing conditions)
- Provide northbound left turn lane
- Provide southbound left turn lane
- Provide eastbound left turn lane
- Provide westbound left turn lane

Little Morongo Road/Dillon Road – Intersection 14
- Install traffic signal (signal warrant currently satisfied under Existing conditions)

TM-2: The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the significantly impacted intersections for Existing Plus Project conditions, without and with Amphitheater Event:

Indian Canyon Drive/18th Avenue – Intersection 3
- Install westbound stop sign
- Provide northbound right turn lane
- Provide southbound left turn lane
- Restrict westbound left turn and provide westbound right turn lane

Project Driveway/18th Avenue – Intersection 4
- Install northbound stop sign
- Provide northbound left/right turn lane
- Provide eastbound through/right lane
- Provide westbound left/through lane

Indian Canyon Drive/Project Driveway – Intersection 5
- Install traffic signal (signal warrant currently satisfied under Existing Plus Project Without Amphitheater Event conditions)
- Provide southbound left turn lane
- Provide westbound left/right turn lane

Indian Canyon Drive/19th Avenue – Intersection 6
- Install westbound stop sign
- Provide southbound left turn lane
- Restrict eastbound and westbound left turn and provide westbound right turn lane
- Provide a second northbound/eastbound through lane
- Provide manual traffic control during amphitheater events

Project Driveway/19th Avenue – Intersection 15
- Install southbound stop sign
- Provide southbound left/right turn lane
- Provide eastbound left/through lane
- Provide westbound through/right lane
- Provide manual traffic control during amphitheater events

Indian Canyon Drive/Parcel 30 Driveway – Intersection 16
- Install westbound stop sign
- Provide westbound right turn lane

Indian Canyon Drive/Parcel 31 Driveway – Intersection 17
- Install westbound stop sign
- Provide westbound right turn lane
- Provide manual traffic control during amphitheater events

TM-3: The applicant shall pay its fair share of the following off-site improvements to the adopted City of Desert Hot Springs Development Impact Fee program, which are needed to mitigate the deficient intersections for Opening Year (2023) With Project conditions, without and with Amphitheater Event:

- Indian Canyon Drive/Pierson Boulevard – Intersection 1
  - Install traffic signal (signal warrant currently satisfied under Existing conditions)
  - Provide northbound left turn lane
  - Provide southbound left turn lane
  - Provide eastbound left turn lane
  - Provide westbound left turn lane
- Indian Canyon Drive/Dillon Road – Intersection 2
  - Install traffic signal (signal warrant currently satisfied under Existing conditions)
  - Provide northbound left turn lane
  - Provide southbound left turn lane
  - Provide eastbound left turn lane
  - Provide two westbound left turn lanes
  - Provide northbound right-turn overlap phasing
- Indian Canyon Drive/19th Avenue – Intersection 6
  - Provide a second northbound through lane
  - Provide a second southbound through lane
- Little Morongo Road/Dillon Road – Intersection 14
  - Install traffic signal (signal warrant currently satisfied under Existing conditions)
  - Provide northbound left turn lane
  - Provide southbound left turn lane
  - Provide southbound right turn lane with overlap phasing
  - Provide a second eastbound left turn lane
  - Provide westbound right turn lane with overlap phasing
  - Provide manual traffic control during events

TM-4: The project shall contribute towards the identified off-site improvements (TM-1 through TM-3) on a fair share basis through payment of the adopted City of Desert Hot Springs Development Impact Fee program.

TM-5: Manual traffic control shall be provided to facilitate the temporary surge in circulation and parking demand during an amphitheater event at the following intersections:

- Indian Canyon Drive/19th Avenue – Intersection 6
- Little Morongo Road/Dillon Road – Intersection 14
- Project Driveway/19th Avenue – Intersection 15
- Indian Canyon Drive at Parcel 31 Driveway – Intersection 17

TM-6: Construct 18th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements.

TM-7: Construct 19th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements

TM-8: Calle de los Romos along the project boundary shall be constructed at its ultimate half-section width, including landscaping and parkway improvements.

TM-9: Indian Canyon Drive along the project boundary should be constructed at its ultimate half-section width as an Urban Arterial (134-foot right-of-way) as identified on the City of Desert Hot Springs General Plan Roadway Classifications Map.

4.1.1.3 Significant, Unavoidable Impacts

Significant, unavoidable cumulative impacts have been identified from greenhouse gas emissions that would be above thresholds for the entire Specific Plan when the emissions from the proposed new uses are exchanged with the emissions from the previously-approved cannabis uses. Although the implementation of Mitigation Measure AQ-3 would reduce greenhouse gas emissions from patron vehicles, total emissions from the Proposed Project when added to other uses in the Approved Specific Plan would be above the threshold of 3,000 $MTCO_2e$ per year.

4.2 Significant Irreversible Environmental Changes

CEQA Guidelines Section 15162(c) requires an EIR to consider significant irreversible changes that would be caused by a project should it be implemented. Construction and operation of the Proposed Project would use non-renewable resources such as fossil fuels, electricity and natural gas, steel, aggregate materials, and lumber. The operation of the project represents a long-term use of these resources, which is offset by the requirements for energy-efficient construction and operation required by the Specific Plan. These policies and design requirements exceed those of typical development projects. Project features, including low-flow fixtures, using water-efficient irrigation systems, using grey water for landscape irrigation, incorporation of a recycling program, use of Energy Star® appliances, use of energy-efficient lighting, onsite solar and wind energy generation, and incorporation of CAPCOA-based land use and site enhancement measures, are anticipated to substantially reduce the Proposed Project's use of natural resources. As discussed in Section 3 of this EIR, effects related to energy use are expected to be less than significant.

4.3 Growth-Inducing Impacts

According to CEQA Guidelines Section 15126.2(e), a project may induce economic or population growth, or additional housing, either directly or indirectly, in a geographic area if it would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects that would remove obstacles to population growth, such as extensions or expansion of infrastructure. CEQA does not automatically consider growth inducement to be a significant, adverse impact. Typically, the growth-inducing potential of a project is considered to be significant if it fosters growth in excess of what is assumed in adopted planning

document. In December 2019, the California Office of Planning and Research updated the growth inducement question in the CEQA Initial Study to clarify that impacts from substantial growth inducement would be significant if the impacts were ***unplanned*** (emphasis added).

The Proposed Project includes improvements to adjacent public streets (18th Avenue, 19th Avenue, Calle de los Romos, and Indian Avenue) as well as extension of water and sewer utilities to the site. These infrastructure improvements would benefit other vacant properties in the area and could encourage development of these properties.

The City of Desert Hot Springs General Plan (City of Desert Hot Springs 2020a) anticipated the development of the Project Site and the ultimate improvement of 18th Avenue, 19th Avenue, Calle de los Romos, and Indian Avenue as development proceeds over time. The planned improvements of these streets would not result in a significant growth inducing impact. Likewise, the Mission Springs Water District (Water Systems Consulting 2021) anticipates water and sewer extension to the Project site and surrounding parcels in association with planned development. Therefore, the planned improvements to water and sewer infrastructure would not result in a significant growth-inducing impact.

5 ALTERNATIVES

5.1 Introduction

This section identifies alternatives to the Proposed Project as required by CEQA Guidelines Section 15126.6. CEQA requires that an EIR consider a reasonable range of alternatives to a proposed project that can attain most of the basic project goals but has the potential to reduce or eliminate significant adverse impacts of the proposed project and may be feasibly accomplished in a successful manner, considering the economic, environmental, social, and technological factors involved.

Under CEQA, the analysis in an EIR may be focused on issues determined in the Initial Study to be potentially significant, whereas issues found to have no impact or a less than significant impact do not require further evaluation. The Initial Study and the comments received during the scoping period determined that the Proposed Project could have significant effects to air quality, biological resources, energy, greenhouse gas emissions, noise, and transportation. Effects to these environmental resources have been evaluated in the EIR. The Initial Study determined that the effects on other resources from the Proposed Project, including aesthetics, agriculture and forestry resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, population/housing, public services, recreation, tribal cultural resources, utilities/service systems, and wildfire would not be potentially significant and did not warrant further review in the EIR.

All impacts from the Proposed Project would be less than significant or less than significant with mitigation with the exception of cumulative impacts for greenhouse gases. As shown on Table 3.5-4 in Section 3.5.5.3, when the emissions for the Proposed Project uses are substituted in the place of the emissions for the Approved Specific Plan's cannabis cultivation uses on Parcels 30 and 31 and the parking lot is substituted for the SCE substation on Parcel 25, there would be an increase of greenhouse gas emissions largely due to the increase in vehicles generated by the proposed amphitheater on event days. When added to the operational emissions from the remainder of the Specific Plan, the total greenhouse emissions from the Specific Plan would increase by 503.43 $MTCO_2e$ per year. This increase is mainly due to the increase in greenhouse gas emissions from traffic generated by the amphitheater use on event days. As shown in Table 3.5-4 in Section 3.5.5.3, Mitigation Measure AQ-3 would reduce greenhouse gas emissions from the Proposed Project by 25.14 $MTCO_2e$ per year. Although the implementation of Mitigation Measure AQ-3 would reduce greenhouse gas emissions from patron vehicles, total emissions from the Proposed Project when added to other uses in the Approved Specific Plan would be 10,354.06 $MTCO_2e$ per year, which is still above the threshold of 3,000 $MTCO_2e$ per year.

The objectives of the Proposed Project provided in Section 2.2 and are listed below for convenience:

- Provide the framework and guidelines for the creative development of an innovative industrial and business park in the City of Desert Hot Springs
- Enhance the City's objectives of attracting and developing a range of new business, uses, and activities geared toward jobs, taxes, and visitors that will contribute to the community's economic base and financial stability.

- Assure that public facilities are adequately provided in an efficient, sustainable, and timely manner in cooperation with local and regional purveyors.
- Integrate programs using the latest techniques and strategies for energy conservation and allow for the implementation of alternative energy systems. Exceed Title 24 energy conservation objectives.

5.2 Alternatives Considered but Rejected

5.2.1 Reversion to Previous Land Use Designation

This alternative would vacate the existing Approved Specific Plan approvals and revert to the site's previous Light Industrial General Plan and zoning land use designations. The Specific Plan DHS SP #01-17 was approved in 2017 and is designated in the City's General Plan (2020) and zoning ordinance. Since 2017, site work has been initiated to support the development of the Specific Plan as described in Section 2.4. Much of the preliminary site work has been completed and building has commenced on several parcels in accordance with the Approved Specific Plan.

An industrial development on the site was evaluated in 2008 (Riverside County 2008). The Addendum MND prepared for the Specific Plan in 2017 determined that the Approved Specific Plan would have impacts that were less severe or comparable to those evaluated for the industrial project in 2008 (City of Desert Hot Springs 2017). Vacation of the Specific Plan approvals and reversion to the site's previous land use designation of Light Industrial would not reduce or eliminate significant environmental impacts and would result in more substantial environmental effects than the Approved Specific Plan. Additionally, this alternative would cause the existing and in-process development on the other Specific Plan parcels to be out-of-compliance with development code. Therefore, this alternative was eliminated from consideration.

5.2.2 Less Intensive Development Alternative

An alternative of less intensive development was considered. However, the No Project Alternative, analyzed below in Section 5.3, is a less intensive development alternative. The No Project Alternative describes a range of allowed uses in the Mixed Use zone from agriculture to commercial and industrial uses. The previously-approved uses on Parcels 30 and 31 were cannabis cultivation land uses and an SCE substation on Parcel 25. The cannabis uses approved with the Approved Specific Plan (No Project) would avoid the air quality and greenhouse gas emissions associated with amphitheater event traffic. As described in Section 3.7.5.1, Table 3.7-7, the Proposed Project would have approximately 1,463 more daily trips on days without an amphitheater event and approximately 3,963 more daily trips on days with an amphitheater event when compared to the cannabis uses previously identified with the Approved Specific Plan. The cumulative greenhouse gas emissions are from amphitheater event traffic. Therefore, less intensive development that would avoid the significant cumulative effects from the Proposed Project has been considered in the range of alternatives analyzed in this EIR, and analysis of an additional development alternative would not further avoid any potentially-significant environmental effects.

5.3 Alternatives Carried Forward for Analysis

5.3.1 Alternative 1 – No Project

With the No Project Alternative, the City would not approve the Specific Plan Amendment. Development of Parcels 30 and 31 would occur in accordance with the Approved Specific Plan's Mixed Use zoning. A wide range of uses would be allowed, including agriculture; light industrial; general commercial; recreation, education and public assembly (including theaters); and cannabis dispensary (non-storefront), cultivation, and manufacturing facilities. The Approved Specific Plan's CEQA document (City of Desert Hot Springs 2017) evaluated cannabis cultivation on Parcels 30 and 31 and an SCE substation on Parcel 25.

Air Quality

The Approved Specific Plan's air quality impacts were modeled and described in the Approved Specific Plan's CEQA document (City of Desert Hot Springs 2017). Air emissions from the No Project Alternative would be slightly less than with the Proposed Project. With the No Project Alternative, air emissions from construction would be similar to the Proposed Project and less than significant with Mitigation Measures AQ-1 and AQ-2. Mitigation Measures AQ-1 and AQ-2 are provided below.

AQ-1: Architectural coatings applied to project buildings are to be limited to 50 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AQ-2: The project applicant shall ensure that all applicable SCAQMD Rules and Regulations are complied with during construction and the construction contractor use construction equipment that have Tier 3 or better engines for any on-site construction.

Air emissions from operations would be less than SCAQMD thresholds and, therefore, less than significant. Additional comparison between the Proposed Project and No Project Alternative is provided in Section 3.2.5.3.

Biological Resources

Impacts related to biological resources from the Approved Specific Plan were limited to removal of habitat and disturbance of Waters of the State, requiring a Streambed Alteration Agreement with CDFW. Rough grading on the entire site has occurred and construction of restaurants or other commercial uses would result in the same impacts as the Proposed Project. Impacts would be less than significant with the implementation of Mitigation Measures BR-1 through BR-3.

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

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

BR-3: If construction or other ground-disturbing activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The survey shall be completed no more than 14 days prior to initial ground disturbance. The nesting bird survey shall include the project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.

Energy

The cannabis cultivation land uses that would be constructed on Parcels 30 and 31 with the No Project Alternative would have greater energy requirements than commercial land uses such as the hotel and amphitheater land use. Additionally, the No Project Alternative would not include solar carports on Parcel 25. Therefore, energy use for the No Project Alternative would be higher than for the Proposed Project. Additional comparison between the Proposed Project and No Project Alternative is provided in Section 3.4.5.3.

Greenhouse Gas

The Approved Specific Plan's greenhouse gas impacts were modeled and described in the Approved Specific Plan's CEQA document (City of Desert Hot Springs 2017). Greenhouse gas emissions from the entire Specific Plan with the No Project Alternative (including cannabis land uses on Parcels 30 and 31) would be approximately 9,875.77 metric tons of CO_2e per year, which is less than the 10,379.20 metric tons of CO_2e per year estimated for the entire Specific Plan with the Proposed Project (including hotel and amphitheater land uses on Parcels 30 and 31) (see Table 3.5-4 in Section 3.5.5.3). Greenhouse gas emissions for the Approved Specific Plan were determined to be below thresholds because the industrial (cannabis) land uses have a higher threshold of 10,000 $MTCO_2e$ per year. However, they would be above the 3,000 $MTCO_2e$ threshold for mixed uses.

Noise

The Approved Specific Plan's noise impacts were modeled and described in the Approved Specific Plan's CEQA document (City of Desert Hot Springs 2017). Construction noise impacts from the No Project Alternative would be similar to the Proposed Project and would also be less than significant with Mitigation Measures NM-1 through NM-4.

NM-1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NM-2: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

NM-3: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

NM-4: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

Operational noise impacts from the No Project Alternative would be lower than the Proposed Project at adjacent commercial land uses because there would be less traffic and no amphitheater events. Operational noise at the nearest sensitive receptor would be the same as with the Proposed Project. Operational noise impacts from the No Project Alternative would be less than significant.

Transportation

The Approved Specific Plan's traffic impacts were modeled and described in the Approved Specific Plan's CEQA document (City of Desert Hot Springs 2017). Traffic congestion (LOS) impacts from the No Project Alternative would be similar to the Proposed Project on the days without amphitheater events and would be less than significant with the implementation of Mitigation Measures TM-1 through TM-9.

TM-1: The following off site intersection improvements shall be constructed to address the project traffic impact at the following study area intersections for the Existing Plus Project (2017) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Provide a northbound right turn lane
  - Provide a second southbound through lane
- Indian Canyon Drive (NS) at 19th Avenue (EW)
  - Install a westbound stop sign and a right turn only lane
  - Provide a southbound left turn lane
  - Provide a westbound right turn lane
  - Restrict eastbound and westbound left turn movements.

TM-2: The following off site intersection improvements shall be constructed to mitigate the Existing Plus Ambient Plus Project (2023) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Convert the northbound right turn lane to a second northbound through lane
- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Restrict eastbound left turn movements

TM-3: The following site intersection improvements shall be constructed to mitigate the Existing Plus Ambient Plus Cumulative Plus Project (2023) traffic conditions:

- Indian Canyon Drive (NS) at Dillon Boulevard (EW)
  - Install a traffic signal

TM-4: The project shall contribute towards the identified cumulative mitigation measure improvements on a fair share basis through payment of the adopted City of Desert Hot Springs Development Impact Fee program. The project's fair share percentage at the intersection of Indian Canyon Road and Dillon Boulevard is approximately 10 percent.

TM-5: The following on-site intersection improvements shall be constructed:

- Indian Canyon Drive (NS) at 18th Avenue (EW)
  - Install a westbound stop sign and a right-turn only sign
  - Provide a westbound right-turn only lane
  - Provide a northbound right-turn only lane
  - Provide a southbound left turn lane
- Project Driveway (NS) at 18th Avenue (EW)
  - Install a northbound stop sign
  - Provide a northbound left-right lane
  - Provide an eastbound through-right lane
  - Prove a westbound left-through lane
- Indian Canyon Drive (NS) at Project Driveway (EW)
  - Install a traffic signal
  - Provide a second northbound through lane
  - Provide a southbound left turn lane
  - Provide a westbound left turn lane
  - Provide a westbound right turn lane

TM-6: Construct 18th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements.

TM-7: Construct 19th Avenue along the project boundary to its ultimate half-section width, including landscaping and parkway improvements

TM-8: Calle De Los Romos along the project boundary shall be constructed at its ultimate half-section width, including landscaping and parkway improvements.

TM-9: Indian Canyon Drive along the project boundary should be constructed at its ultimate half-section width as an Urban Arterial (134-foot right-of-way) as identified on the City of Desert Hot Springs General Plan Roadway Classifications Map.

5.4 Alternative Impact Evaluation Summary

5.4.1 Alternative 1 – No Project

With the No Project Alternative, Parcels 25, 30, and 31 would be developed in accordance with the Approved Specific Plan. As evaluated in the Approved Specific Plan's MND, impacts to all environmental resources would be less than significant or less than significant with mitigation.

5.5 Comparison of Alternatives

Table 5.5-1 compares the environmental impacts of the Proposed Project and the No Project Alternative.

Table 5.5-1. Comparison of Alternatives

Environmental Resource	Proposed Project	No Project Alternative
Air Quality (Project-level and Cumulative)	LTSM	LTSM
Biological Resources (Project-level and Cumulative)	LTSM	LTSM
Energy (Project-level and Cumulative)	LTS/B	LTS
Greenhouse Gas (Project-level)	LTS	LTS
Greenhouse Gas (Cumulative)	S	LTS
Transportation (Project-level and Cumulative)	LTSM	LTSM

Notes: LTS = less than significant impact; LTSM = less than significant impact with mitigation, S = significant, B=beneficial

5.6 Environmentally Superior Alternative

The primary reasons for conducting an alternatives analysis in an EIR are to describe a range of reasonable alternatives which would avoid or substantially lessen the significant effects of the Proposed Project and foster informed decision-making and public participation. The State CEQA Guidelines also require that the EIR identify which of the alternatives would be "environmentally superior." Environmentally superior generally means "has the least potentially significant overall environmental impact on the environment". As described in Section 3, the Proposed Project would have significant cumulative impacts for greenhouse gas emissions even after mitigation. A summary comparison of the alternatives is provided in Section 5.5.

The No Project Alternative is the environmentally superior alternative because, although it would have similar Project-level effects as the Proposed Project for all resources, it would avoid the cumulative significant effects for air quality and greenhouse gas emissions. However, the Proposed Project better meets the goals of the Specific Plan by providing the opportunity for additional mixed uses, which would provide a greater range of new businesses in this area of the City, which is currently dominated by cannabis uses.

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