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Via Email

November 21, 2022

Richard Duffle, Chairman
James Nindel, Vice Chair
Chris Wagstaff, Commissioner
Requita Grant, Commissioner
Derward Cook, Commissioner
Planning Commission
City of Desert Hot Springs
11999 Palm Dr.
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Patricia Villagomez, Associate Planner
City of Desert Hot Springs
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Re: Comment on Mitigated Negative Declaration Addendum for the Desert Gateway Specific Plan Amendment Project (Specific Plan Amendment No. SP-22-3, Design Review No. 22-1, Tract Map No. 22-3); November 21, 2022 Planning Commission Agenda Item 1

Dear Honorable Planning Commissioners and Ms. Villagomez:

I am writing on behalf of **Supporters Alliance for Environmental Responsibility (“SAFER”)** regarding the Desert Gateway Specific Plan (Specific Plan Amendment No. SP-22-3, Design Review No. 22-1, Tract Map No. 22-3), including all actions related or referring to the proposed Amendment to the Desert Harvest Specific Plan for the development of a mixed-use project uses that would include hospitality uses up to 150 hotel keys, commercial retail uses up to 42,000 square feet, and logistics/warehouse/distribution and light industrial uses up to 1,060,000 square feet, located within two distinct planning areas on a 64.91-acre site located on the north side of 20th Avenue and Interstate 10, slightly east of Indian Canyon Drive, in the City of Desert Hot Springs (“Project”), which is being heard as Agenda Item 1 at the Planning Commission’s November 21, 2022 meeting.

SAFER objects to the use of the Addendum to the 2017 Mitigated Negative Declaration for the Desert Harvest Specific Plan (SP 02-17) (“2017 MND”) prepared for the Project. Under the California Environmental Quality Act (“CEQA”), an addendum is not appropriate because there is a fair argument the Project is not within the scope of the 2017 MND and may result in significant impacts that were not accounted for in the 2017 MND and for which there are new mitigation measures available since 2017. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Comm. Coll. Dist.* (2016) 1 Cal.5th 937, 958 [fair

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Comment on MND Addendum for the Desert Gateway Specific Plan Amendment ((Specific Plan Amendment No. SP-22-3, Design Review No. 22-1, Tract Map No. 22-3)

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argument standard applies to addendum to MND; see also 14 CCR §§ 15162(a)(3), 15164(b) 15168(c.). Therefore, SAFER requests that the Planning Commission decline to approve the Project at this time until an EIR or MND is prepared for the Project rather than an Addendum.

Sincerely,

A handwritten signature in blue ink that reads "Brian B. Flynn". The signature is written in a cursive style with a large initial "B".

Brian B. Flynn