7.0 OTHER CEQA CONSIDERATIONS

Section 15126 of the *CEQA Guidelines* requires that all aspects of a project must be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. Including the mitigation measures proposed to minimize the significant effects of a proposed project, those significant environmental effects that cannot be avoided (see analysis of specific environmental issues in **Chapter 4.0** and the programmatic discussion of the MSJC Entitlements in **Chapter 5.0**), as well as alternatives to a proposed project (see **Chapter 8.0**), the Environmental Impact Report (EIR) must also identify the significant environmental effects that cannot be avoided if a proposed project is implemented, the significant irreversible environmental changes that would be involved if the proposed project should be implemented, and the growth-inducing impact of the proposed project.

7.1 SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

As required by Section 15126(b) of the *CEQA Guidelines***,** even with the implementation of the mitigation measures identified in **Chapter 4.0**, **Table 7.A: Significant Environmental Effects That Cannot Be Avoided** identifies the significant unavoidable impacts anticipated to result from the proposed Project.

Section 15126(c) of the *CEQA Guidelines* mandates that the EIR must address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented. Section 15126.2(d) of the *CEQA Guidelines* provides that an impact would fall into this category if it resulted in any of the following:

- The Project would involve a large commitment of non-renewable resources.
- The primary and secondary impacts of the Project would generally commit future generations of people to similar uses.
- The Project involves uses in which irreversible damage could result from any potential environmental accidents associated with the Project.

Determining whether the proposed Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The Development Project would commit the Development Site to the uses detailed in **Chapter 3.0**.[1] Through the lifetime of any commercial or industrial use constructed, those portions of the Development Site would be unavailable for other uses. The Development Site is currently bounded by and accessible from existing roadways. The Development Project would not extend access to a previously inaccessible area.

[1] While the MSJC Site would be entitled for future residential development as part of the Project, no physical development is proposed at this time. Therefore, this component of the Project would not commit the site to these future uses or result in any irreversible environmental effects.

Table 7.A: Significant Environmental Effects That Cannot Be Avoided

Topic/Section	Impact	Significance Determination	Details of Impact
Air Quality (4.3.6.1)	Implementation of the Development Project would conflict with implementation of the applicable air quality plan.	Significant and Unavoidable	The Development Project results in an exceedance of criteria pollutants. Furthermore, the Development Project is not consistent with the land use assumptions cited in the 2022 AQMP. Due to this inconsistency and the level of criteria pollutants, the Development Project is inconsistent with the 2022 AQMP and impacts would be significant and unavoidable as mitigation is not available to reduce emissions to SCAQMD thresholds.
Air Quality (4.3.6.2)	Implementation of the Development Project would result in exceedance of VOC emissions during project construction.	Significant and Unavoidable	Maximum daily construction emissions would be less than the SCAQMD thresholds of all pollutants except for VOCs. **Mitigation Measure AIR-1** would reduce construction VOCs by requiring low-VOC paint application. There are no additional feasible mitigation measures to further reduce VOC emissions to below SCAQMD daily thresholds.
Air Quality (4.3.6.2)	Implementation of the Development Project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or State ambient air quality standard.	Significant and Unavoidable	Emissions associated with operation of the Development Project would exceed established SCAQMD thresholds. Despite the incorporation of operational practices and design features cited in **Mitigation Measure AIR-2**, operation of the Development Project would result in significant and unavoidable impacts for VOCs, NO_X, CO, PM_{10}, and $PM_{2.5}$.
Air Quality (6.5.3.2)	Operation of the Development Project would result in a cumulative exceedance of SCAQMD emission thresholds.	Significant and Unavoidable	The Development Project's long-term operational emissions would exceed SCAQMD's criteria pollutant thresholds for all pollutants except SO_X. SCAQMD's operational emissions thresholds are designed to accomplish regional emissions goals. While **Mitigation Measure AIR-2** would reduce emissions to the extent feasible, project emissions would remain significant and unavoidable. Therefore, the Development Project's operations would result in a significant and unavoidable cumulative increase in long-term regional emissions.
Greenhouse Gas Emissions (4.8.5.1)	Implementation of the Development Project would generate GHG emissions that may have a significant impact on the environment.	Significant and Unavoidable	Project-related GHG emissions would exceed the City's 3,000 $MTCO_2e$ per year threshold. While the implementation of **Mitigation Measures GHG-1 through GHG-6** would reduce GHG emissions to 38,726.25 $MTCO_2e$/year, the majority of the GHG emissions (66 percent of unmitigated emissions) are associated with non-construction mobile sources that are either federally or State regulated. Neither the City of Banning nor the Development Project has control over these standards, and no additional feasible measures are available that would further reduce GHG emissions.
Greenhouse Gas Emissions (4.8.5.2)	Implementation of the Development Project would conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emission of GHGs.	Significant and Unavoidable	The Development Project would not conflict with applicable local, regional, and Statewide plans, policies, programs, and regulations that have been adopted for the purpose of reducing GHG emissions. Despite this consistency, the Development Project's long-term operational impacts would exceed the City's threshold of 3,000 $MTCO_2e$ per year despite implementing project design features and all feasible mitigation. Thus, the Development Project may impede various plans' long-term GHG reduction goals (e.g., for 2030 and 2050), and a potentially significant impact may occur as a result of the Development Project.
Noise and Vibration (4.13.6.1)	Implementation of the Development Project would generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of	Significant and Unavoidable	Existing private walls are located adjacent to residential uses along Sunset Avenue between Lincoln Street and Westward Avenue. Additional noise barriers at this location would not be feasible as walls are already in-place and adding height to these walls would provide minimal noise reduction and would not achieve the noise reduction needed to reduce impacts to a less

Table 7.A: Significant Environmental Effects That Cannot Be Avoided

Topic/Section	Impact	Significance Determination	Details of Impact
	standards established in the local general plan or noise ordinance.		than significant level. Also, obtaining consent from all property owners would not be possible. A minimum 6-foot-high wall adjacent to the existing MSJC buildings along Sunset Avenue would provide a noise reduction of 5 dBA and reduce traffic noise levels to below the City's noise standard of 65 dBA CNEL to 63.6 dBA CNEL; however, the off-site traffic noise impact at the MSJC campus uses remains significant because the construction of the wall would require approval of the property owner, which is outside of the control of the Project Applicant and the City. Due to the uncertainty if the wall would be constructed, a significant off-site noise impact to MSJC uses would occur. The Development Project would result in a significant permanent increase in ambient noise levels, and traffic noise levels would exceed the City's exterior noise standard of 65 dBA CNEL. In the absence of feasible or certain new mitigation measures that would reduce long-term off-site traffic noise levels along Sunset Avenue between Lincoln Street and Westward Avenue and at MSJC uses south of Westward Avenue, off-site traffic noise impacts from operation of the Development Project would be significant and unavoidable.
Noise and Vibration (4.13.6.1)	Nighttime noise levels at receptors would exceed the County's exterior nighttime 10-minute noise standard of 45 dBA L_{eq}. The Development Project would increase ambient noise levels by up to 3.8 dBA for residences at Receptors R-11 and R-12. Therefore, noise generated from operations of the Development Project would be significant.	Significant and Unavoidable	As the Development Project and residences at Receptors R-11 and R-12 have direct driveway access onto Bobcat Road, mitigation measures such as unbroken noise barriers would not be feasible. Therefore, noise impacts from operations of the Development Project would be significant and unavoidable.
Transportation (4.17.6.2)	Implementation of the Development Project would conflict with *CEQA Guidelines* Section 15064.3, subdivision (b).	Significant and Unavoidable	A significant impact to VMT would occur if the addition of the Development Project's industrial or hotel component would result in Development Project-generated VMT per employee that exceeds the City's significance threshold of 25.9. The Development Project's non-retail VMT per employee would exceed the City's significance threshold of 25.9 by 4.95, which is an increase of 18.9 percent in VMT per employee. While the Transportation Demand Measures implemented pursuant to Mitigation Measure TRA-1 would realize a maximum 45 percent reduction in commute VMT, implementation of the feasible TDM measures cannot be guaranteed to reduce the industrial and service component's VMT per employee or the retail component's total VMT to a level of less than significant.

AQMP = Air Quality Management Plan
CNEL = Community Noise Equivalent Level
CO = carbon monoxide
dBA = A-weighted decibels
GHG = greenhouse gas
L_{eq} = equivalent continuous sound level
MSJC = Mt. San Jacinto College
$MTCO_2e$ = metric tons of carbon dioxide equivalent
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
SCAQMD = South Coast Air Quality Management District
SO_X = sulfur oxides
TDM = Transportation Demand Management
VMT = vehicle miles traveled
VOCs = volatile organic compounds

Natural resources in the form of construction materials and fuels would be utilized in the construction of the proposed Project, and energy resources in the form of electricity and natural gas would be used during the long-term operation of the Project; however, their use is not expected to have a negative impact on the availability of these resources. The proposed (mitigated) use of electricity on the Development Site would be approximately 25.570 gigawatt-hours (GWh) of electricity per year. According to the California Energy Commission (CEC), total electricity consumption in the Banning Electric Utility (BEU) service area in 2022 was 151.5 GWh (47.4 GWh for the commercial sector).[2] In Riverside County, total electricity consumption in 2022 was 17,780.6 GWh (9,060.64 GWh for the residential sector and 8,720.0 GWh for the non-residential sector).[3] The Project demand would represent approximately 16.9 percent of existing electricity consumption within the BEU service area and 0.14 percent of current electrical demand in Riverside County. The BEU has included the energy usage by this Development Project as well as other large commercial, residential, and industrial developments in its future planning, which has enabled it to enter into long-term contracts for the purchase of renewable sources of electricity as required by State law.[4] The BEU has historically obtained electricity from a variety of sources (e.g., San Juan Generating Station Unit 3 and the Palo Verde Nuclear Generating Station), has direct entitlements to hydroelectric output from Hoover Dam, and an interest in power purchase agreements between the Southern California Public Power Authority (SCPPA) and geothermal energy facilities in Imperial County. Additionally, BEU makes purchases in the wholesale market to cover its summer peaking and capacity requirements. As supply inventory changes (e.g., shutdown/decommissioning of facilities), the BEU/City of Banning adjusts its energy supply accordingly. For example, prior to the closure of San Juan Unit 3, BEU/City of Banning contracted for a 9-megawatt (MW) share of the Puente Hills Landfill Gas-to-Energy Facility ("Puente Hills Landfill Project"), and an 8 MW share of the Astoria 2 Solar Project. Contracts on these sources run through 2030 and 2031, respectively. Beginning in January 2022 for a term of 20 years, the BEU began receiving energy from COSO Geothermal Holdings.[5,6] As demonstrated by past operations, BEU continually evaluates the demand for energy in its service area, its portfolio of energy resources, and energy supply opportunities, adjusting as needed to meet the energy needs of its customers.

Senate Bill (SB) 100 raised California's Renewable Portfolio Standard (RPS) requirement targets to 50 percent renewable by December 31, 2026 and 60 percent by December 31, 2030, and it requires all

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2 California Energy Commission (CEC). 2023a. Electricity Consumption by Entity. Website: www.ecdms.energy.ca.gov/elecbyutil.aspx (accessed August 31, 2023).

3 California Energy Commission (CEC). 2023b. Electricity Consumption by County. Website: www.ecdms.energy.ca.gov/elecbycounty.aspx (accessed August 31, 2023).

4 Long-term forecasts included in the City's 2015 Power Supply Integrated Resource Plan (IRP) recognizes growth in electrical demand from the Rancho San Gorgonio project and the Butterfield – Pardee Home projects, which envision the development of 3,385 and 4,862 residential units, respectively. The anticipated growth in electrical demand in the IRP anticipated that up to 200 homes each year would be built from 2020 through the end of the project period (2034). It was also assumed there would be additional commercial development to support the increased population. The First Hathaway Industrial project (currently under environmental review) envisions development of 1.42 million square feet of industrial warehouse uses north of I-10. The development of this use is consistent with the existing land use designation ("Business Park") for that site established by the City; therefore, it is reasonable to include it in the IRP forecast of future demand.

5 City of Banning Electric Utility. 2015. *2015 Power Supply Integrated Resource Plan, City of Banning, California.* Website: http://banning.ca.us/DocumentCenter/View/559/Banning_IRP-July-2010?bidId= (accessed August 31, 2023).

6 Southern California Public Power Authority. Website: http://www.scppa.org/page/member-banning (accessed May 31, 2023).

the State's electricity to be from carbon free resources by 2045. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible non-renewable energy resources so that the total kilowatt hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December 31, 2030. Based on its mix of generation sources, BEU's current portfolio is 75 percent renewable. While changes to generation sources are expected to decrease the renewable portfolio to 70 percent in 2027, which satisfies the RPS target for 2030 mandated under SB 100, it is reasonable to conclude the BEU will continue this practice and that any increased energy demand from the Development Project and other uses will be adequately met with a majority of renewable energy resources.

The estimated potential increase (mitigated) in natural gas demand associated with the Development Project is 59,998 therms. Total natural gas consumption in the Southern California Gas Company (SoCalGas) service area in 2022 was 5,026.5 million therms. Within Riverside County, natural gas consumption totaled 431.1 million therms in 2022. The Development Project would increase annual natural gas consumption in the SoCalGas service area and Riverside County by approximately 0.001 and 0.01 percent, respectively[7]. While SB 100 does not define "zero-carbon resources," and the State had no legal definition prior to the bill becoming law, it is generally accepted that natural gas is not a "zero-carbon resource." As California moves to a "zero-carbon future," it is reasonable that reductions in natural gas use will occur as utilities move from using this resource to using zero-carbon and/or renewable resources. Furthermore, to achieve the intended goals of SB 100, policies that may limit the installation of natural-gas appliances (i.e., water heaters, stoves/oven, furnaces) will increasingly reduce the overall demand for natural gas in Banning and statewide. While the Development Project would increase energy demand, electricity in the City is increasingly provided by renewable sources and the Development Site will be required to implement applicable energy efficiency standard/features. As a result, operation of the proposed uses and utilizing natural gas would not result in significant irretrievable loss of non-renewable fuels or impact the availability of these energy resources for future generations or for other uses for the life of the Development Project[8].

The Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) has designated the majority of the Development Site (451.9 acres) as Farmland of Local Importance (L). The remaining portions of the Development Site are designated as Grazing Land (G) (76.83 acres) and Other Land (X) (3.97 acres). While mapping by the FMMP identifies 4,381.5 acres of Farmland of Local Importance within Banning, the conversion of this category of farmland is not considered a significant effect under CEQA. Nonetheless, the Development Project will convert land designated as Farmland of Local Importance to a non-agricultural use, thereby reducing the inventory of this farmland designation in Banning and Riverside County. Any interim or temporary agricultural use (grazing) that has occurred on the Development Site has contributed little to the regional agricultural economy, and

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7 To meet California's climate goals, the use of fossil fuels like natural gas will need to decrease by 80 percent or more by 2050. Zero-carbon electricity requirements under SB 100 will lead to a substantial reduction in annual demands for natural gas in electric generation. Efforts to reduce built environment emissions, particularly strategies to reduce GHG emissions from natural gas use in buildings via efficiency or electrification, could also lead to reductions in natural gas demand over time. See *The Challenge of Retail Gas in California's Low-Carbon Future*, California Energy Commission, April 2020, at https://www.energy.ca.gov/sites/default/files/2021-06/CEC-500-2019-055-F.pdf, accessed March 31, 2023.

8 Please refer to Section 4.6 for a discussion of non-renewable vehicle fuel usage.

the implementation of the Development Project would not directly or indirectly catalyze the conversion of additional farmland to urban land uses in other areas of Banning. While the conversion of locally important farmland to a non-agricultural use would be permanent and irreversible, it is not considered a significant impact under CEQA.

Though the Development Site is located in an area designated by the California Geological Survey (CGS) as an MRZ-3 (i.e., an area of undetermined mineral resource significance), there has been no evidence that mineral resources are located on the Development Site nor has the State, the County of Riverside (County), or the City of Banning (City) conducted mineral recovery on the Development Site. Neither the City nor the County designate the Development Site with a mineral resource land use designation that allows for mineral extraction. Implementation of the Development Project is not likely to permanently and irreversibly preclude future recovery of significant mineral resources, if any, on the Development Site.

Vegetation on the Development Site consists of a mix of nonnative grassland (63 percent), California buckwheat scrub (33 percent), disturbed/developed (2 percent), non-vegetated streambed (2 percent), riparian scrub/woodland, and Riversidean alluvial fan sage scrub. Three deeply incised drainages and associated tributaries are present within the proposed Development Site. The Development Project retains these existing drainage features and other open space areas within 65.6 acres of open space throughout the Development Site. To mitigate for the permanent impacts to 1.07 acres of riparian/riverine areas on the Development Site, 3.21 acres of on-site riparian habitat would be enhanced or restored (a 3:1 ratio). The additional enhancement/restoration would ensure the long-term conservation of the riparian/riverine resources, preserving the function and value of on-site and downstream areas. Where new roads cross the riparian corridors, undercrossings will be sized and constructed to allow for the safe passage of wildlife and continued downstream sediment transport. While upland habitat throughout the Development Site will be permanently and irreversibly impacted by the Development Project, no candidate, sensitive, or special-status species occur in these areas. As stated in **Section 4.4.4.3** of this EIR, the Development Site is in the Multiple Species Habitat Conservation Plan (MSHCP)[9] plan area, but not within or adjacent to any Criteria Area, Core Reserve, or Linkage identified for conservation or acquisition for conservation purposes.

No federally or State-listed endangered or threatened species or special-status plant or amphibian species occur within the Development Site. In addition, no special-status fairy shrimp species occur within the Development Site, though the common versatile fairy shrimp does occur in seasonal pooling locations throughout the Development Site. As a result, no impacts would occur with respect

[9] The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on conservation of species and their associated habitats in Western Riverside County. The overall goal of this plan is to maintain biological and ecological diversity within a rapidly urbanizing region. The MSHCP Plan Area encompasses approximately 1.26 million acres (1,966 square miles); it includes all unincorporated Riverside County land west of the crest of the San Jacinto Mountains to the Orange County line, as well as the jurisdictional areas of the cities of Temecula, Murrieta, Wildomar, Menifee, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Eastvale, Jurupa Valley, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, and San Jacinto. The MSHCP allows Riverside County and participating cities to better control local land-use decisions and maintain a strong economic climate in the region while addressing the requirements of the State and Federal Endangered Species Acts.

to these categories of species. However, as discussed below, both the burrowing owl and Los Angeles pocket mouse are California Species of Concern.

While burrowing owl have been identified on site and would be directly and indirectly impacted by Development Project construction, as stated in **Section 4.4.6.1** of this EIR, impacts to this species are reduced to less than significant through the implementation of mitigation. Los Angeles pocket mouse occur on site and would be directly and indirectly impacted by the Development Project. However, the predominant areas of occupation (the existing drainages) will be maintained. Additionally, mitigation has been identified that would reduce potential impacts to this species to a less than significant level.

Because it is a permittee under the MSHCP, the City has adopted its Local Development Mitigation Fee (LDMF)[10]. This fee is based on the Nexus Fee Study Update[11] prepared for the Regional Conservation Authority (RCA). The 2020 Nexus Study has estimated the increased fee level that would be required to provide sufficient revenues to support full implementation of the MSHCP, including required land acquisition[12]. In its resolution adopting the updated fees, the City has resolved, "the cost of funding proper mitigation of natural ecosystems and biological resources impact by development within the City and the region are apportioned relative to the type and extent of development within the City." Further, the City has determined that there is a "reasonable relationship between the fee's use and the types of development for which the fee is charged."

While the conversion of the Development Site from undeveloped to developed uses has been previously considered by the City through their designation of the site for residential and commercial development in its General Plan, implementation of the Development Project would result in the removal of existing vegetation, modification of topography, and the subsequent installation of buildings and supporting infrastructure that represents a permanent and irreversible change in nature of on-site biological resources. Nonetheless, the direct impacts to biological resources resulting from the Development Project are fully mitigated. Furthermore, nearly two-thirds of the site is either nonnative grassland or disturbed, and the Development Site is not located within or adjacent to an area planned for conservation under the MSHCP. The MSHCP provides the mechanism for the regional conservation of habitat in western Riverside County. As required under the MSHCP, the City has adopted its LDMF, establishing a per-acre cost for industrial and commercial development[13] that supports implementation of the MSHCP, including required land acquisition. Considering that conservation of biological resources is comprehensively addressed on a regional level under the MSHCP, and in tandem with the site-specific mitigation identified in **Section 4.4** of this EIR, the

10 City of Banning, Resolution 2021-32, May 25, 2021.

11 Western Riverside County Regional Conservation Authority (WRCRCA). 2020. *Western Riverside County Multiple Species Habitat Conservation Plan Nexus Fee Study Update*. October. Website: https://www.wrc-rca.org/Permit_Docs/Nexus_Report/Draft_MSHCP_Fee_Nexus_Report_2020.pdf (accessed March 31, 2023).

12 At the time of adoption of the MSHCP, existing public and quasi-public conservation lands within the MSHCP area covered 347,000 acres, leaving a need for 153,000 acres of land to be acquired to meet the goals of the MSHCP. The responsibility for the conservation of this additional land is shared by the local development process (97,000 acres) and State and federal purchases (56,000 acres). At the time of the 2020 Nexus Study, 40 percent of the 153,000 acres of additional land had been acquired.

13 Effective July 1, 2023, the LDMF for commercial or industrial development is $19,066/acre.

permanent and irreversible changes to the natural condition of the Development Site are less than significant.

The 533.8-acre Development Site is currently undeveloped and represents an open space area resource in Banning. While the Development Project would retain existing drainage features and other open space areas within 65.6 acres, development pursuant to the Specific Plan would result in the conversion of open, natural areas to a collection of industrial and commercial buildings and a supporting inventory of ancillary features/facilities (e.g., roadways, parking areas, lighting, signage, landscaping, utilities). The conversion of the site to urban uses represents a permanent and irreversible change in the existing aesthetic character of the site.

Commercial and industrial uses operated on the Development Site may include the use and disposal of some amount of hazardous waste along with limited use of pesticide and herbicides for landscape maintenance. Vehicles accessing the uses on the Development Site would contain oil and gasoline to power their engines, which could have the potential to result in minor releases of such substances through drips or leaks in parking areas. Transport truck traffic to and from the Development Site, including transport refrigeration units (TRUs), or refrigerated trucks transporting perishable material may also contribute to minor releases of oil and gasoline in the loading dock areas in addition to the parking areas. Specific Plan uses are not anticipated to generate or use major hazardous materials, or create unusually high quantities of hazardous waste, and would be required to prepare Hazardous Materials Business Plan(s) (as appropriate). Because no such hazards currently exist on site, development per the Specific Plan would extend the potential for accidental hazardous material release/upset through the lifetime of the project but would not constitute a significant impact.

7.2 GROWTH-INDUCING IMPACTS

Pursuant to Sections 15126(d) and 15126.2(e) of the *CEQA Guidelines*, an EIR must discuss the ways in which a proposed project could foster economic or population growth, the construction of additional housing (either directly or indirectly) in the surrounding environment, or remove obstacles to population growth. Growth-inducing effects should not be viewed as inherently beneficial, detrimental, or of little significance to the environment. This discussion is included in this EIR to provide additional information on ways in which this project could contribute to significant changes in the environment, beyond the direct consequences of developing the Project established in earlier chapters in the EIR. To address this issue, potential growth-inducing effects are assessed by determining if the Project would: (1) remove obstacles to population growth through the construction or extension of major otherwise unplanned for infrastructure facilities that do not presently exist in the project area (e.g., a major expansion of a wastewater treatment facility); (2) by increasing population, tax existing community service facilities, thereby requiring construction of new facilities, which could cause significant environmental effects that could significantly affect the environment;

or (3) include project characteristics that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.[14,15]

7.2.1 Construction or Extension of Infrastructure

7.2.1.1 Development Project

The goal of the City's General Plan is to provide sufficient and appropriately located public facilities to serve the needs of the City's residents, businesses, and visitors. In addition, the City has a detailed Integrated Master Plan (2018), development impact fee program, and other plans[16] that together establish and plan for the infrastructure needs for the City and provide funds for capital improvements as projects are developed. The infrastructure that would be constructed in connection with the Development Project is either already planned for by the City or needed for planned growth as described in the City's General Plan and the aforementioned plans. The Development Project does not require off-site construction or extension of infrastructure that was not already considered and approved by the City. For example, while the Development Project includes the installation of a new internal circulation network, the roadway improvements constructed as part of the Development Project would result in build out of roads in a manner consistent with the City's existing General Plan Circulation Element and would not expand the scope or change the designations of those roadways beyond those previously identified by the City. Similarly, while the Development Project will underground certain existing utility lines along the perimeter of the Development Site, it will not extend transmission utility lines in other areas. The installation of utilities is to connect the Development Site with existing utility lines abutting the site. The installation of wet utility facilities (e.g., water, wastewater, recycled water) required for the Development Project would connect to existing City systems pursuant to the future needs identified in the Integrated Master Plan (IMP)[17] and developed pursuant to the City's Capital Improvement Plan (CIP) and would not extend infrastructure beyond that already planned for the City.

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14 Pursuant to Senate Bill 244, Local Agency Formation Commissions (LAFCOs) must make certain determinations regarding Disadvantaged Unincorporated Communities (DUCs). DUCs are defined as inhabited territory that constitutes all or a portion of a community with an annual median household income that is less than 80 percent of the statewide annual household income (MHI). An annexation application for the remaining Banning DUC-1 would be appropriate if more than 50 percent of the voters in the remaining portion of DUC-1 favor annexation. Any such secondary annexation would trigger a requirement that the City file an application for an additional, later annexation of the Banning DUC-1 area. Any future annexation would require a separate review, and the growth inducing aspects of that annexation can be detailed and addressed at that time. The majority (63 percent) of the valid registered voters in Banning DUC-1 demonstrated opposition to the annexation to the City. It should be noted that Banning DUC-1 is located within the Planning Area identified in the City's 2018 Integrated Master Plan, which identifies future demand and facility needs in the City and unincorporated areas within Banning DUC-1.

15 The Project includes annexation of a portion of Banning DUC-1. See *Banning DUC-1 South Sunset*, Riverside County Local Agency Formation Commission, October 28, 2021, at https://lafco.org/wp-content/uploads/documents/ducs/Banning%20DUCs_LAFCO_2015-19.pdf (accessed December 1, 2023).

16 These plans have been previously cited, summarized, and incorporated by reference in Section 2.4 of this EIR.

17 The IMP evaluates the performance and condition of the City's potable water, wastewater, and recycled water systems under existing and future conditions through year 2040. The IMP informs the City during the development and update(s) of its CIP and identifies, plans, and develops the system of water, wastewater, and recycled water system facilities necessary to serve current customers and to support anticipated growth through the year 2040. The IMP can be accessed online at the following location: http://www.ci.banning.ca.us/DocumentCenter/View/10541/2018-Integrated-Master-Plan.

In addition to these specific facilities previously referenced, the Project will include the extension of water, recycled water, natural gas, and communication (cable, telephone service) to the Development Site. Necessary infrastructure improvements for these services would extend from existing or planned infrastructure locations and would only serve the Development Site. The proposed improvements would not extend utility or roadway infrastructure in areas further removed from the Development Site and therefore would not directly or indirectly induce additional unplanned development in intervening areas. As such, the existing regional infrastructure and the established roadway network would be utilized to connect with the Development Site, but the Development Project would not indirectly or directly extend infrastructure or result in growth not previously anticipated and planned for by the City.

7.2.1.2 MSJC Entitlements

To comply with the requirement in Government Code Section 66300 that there be no net loss of residential capacity, 1,146 units of residential capacity from the Development Site will be moved to the Mt. San Jacinto College (MSJC) Site to land currently designated for Public Facility uses[18], accommodating development of a maximum of 1,181 residential units. This entitlement preserves the development of planned housing but does not significantly increase the maximum number of housing units to be built in the City, and does not represent an increase in residential uses or population. Improvements to adjacent infrastructure would be required to accommodate development on the MSJC Site regardless of the future use; therefore, the MSJC Entitlements and any subsequent Very High Density Residential (VHDR) uses would not directly or indirectly result in growth not already planned for and anticipated by the City.

7.2.1.3 Related Public Facilities Projects

As discussed in **Chapters 3.0 and 6.0** of this EIR, the City has either previously approved or is in the process of considering various public improvements that may occur on or adjacent to the Development Site. Each of these has either undergone prior review or is under consideration by the City and would proceed with or without development of the Development Project, and each is intended to provide infrastructure to serve planned growth within the City and its Sphere of Influence. Since these public facilities projects would be carried out on land within or adjacent to the Development Site, their potential to create growth-inducing impacts is discussed below.

- **Electric Substation.** An approximately 1-acre area within the Development Site, at the northwest corner of Planning Area 7 (PA 7), has been identified by BEU as a potential site for development of an electric substation to be developed by BEU to support projected long-term growth anticipated by the City's existing General Plan. The Development Project would not require construction of this electrical substation; therefore, implementation of the Development Project is not reliant or dependent on development of this electrical substation, and the electric substation is not growth inducing either directly or indirectly. BEU is separately entitling and will develop, own, maintain, and operate the future electrical substation.

[18] In collaboration with the Beaumont Unified School District, MSJC is housing the Beaumont Middle College High School at the San Gorgonio Pass Campus. The middle college high school is designed to raise graduation rates, prepares students for transfer to a 4-year institution or an associate degree, and serves underrepresented students.

- **Potable Water Reservoir.** To serve the water storage requirements of the City and the approved Rancho San Gorgonio Specific Plan development (RSGSP), a proposed 1.5-million-gallon potable water reservoir is required to be constructed at a certain elevation to facilitate gravity conveyance of potable water to the Rancho Gorgonia project (Potable Water Reservoir). This need for additional water storage capacity was identified in the City's Integrated Master Plan (2018) and analyzed in the RSGSP EIR, but the exact location was not identified at that time. As noted in the RSGSP EIR, the RSG site did not meet the elevation requirements and so the water tank was required to be located elsewhere in the southern portion of the City. The City has identified a portion of Planning Area 3 (PA 3) of the Development Site, south of Westward Avenue, west of Sunset Avenue, and east of Pershing Creek, for this Potable Water Reservoir. The City and/or the RSG applicant will be responsible for the future development of the potable water reservoir.

- **Sun Lakes Boulevard Extension.** The City's General Plan Circulation Element identifies a future Arterial Highway to connect Sunset Avenue to Highland Home Road, bisecting the Development Site. The City owns the right-of-way for this extension, has received grant funding, and is processing approvals for construction. This future extension of Sun Lakes Boulevard has been part of the City's Circulation Element for an extended period of time and is required to address existing needs and planned growth by providing an east-west connection across the City south of I-10 between Highland Home Road and Sunset Avenue, connecting the Sun Lakes Community and the future planned RSG development. Development of this highway would be independent of the Development Project, and the Development Project would not induce its construction.

- **Sunset Avenue Bridge.** Construction of a future bridge crossing in this location (Sunset Avenue Bridge) has been approved by the City as part of the RSGSP in order to improve access on Sunset Avenue across the Pershing Wash drainage, south of Westward Avenue. This construction is under the control of the City and could be constructed by the City or third parties designated by the City and is planned to improve existing infrastructure. Development of this bridge would be independent of the Development Project, and the Development Project would not induce its construction.

- **Reverse Osmosis Facility.** A reverse osmosis facility would be developed by the City in Planning Area 12 of the Specific Plan to receive treated wastewater from the existing Banning Water Reclamation Facility (WRF). The reverse osmosis facility is needed to ensure that water allocated for use on the Sun Lakes Community Golf Course does not contribute to high nitrate loads in local groundwater and is proposed to comply with legal requirements related to recharge of the underlying basin. The reverse osmosis facility will not free up or create an additional water supply for the City, is not needed for the Development Project, and the processed water from it will not be utilized by the Development Project.

In addition, although the Development Project does not create the need for development of another fire station within the City, at the City's request, the Specific Plan identifies a site in Planning Area 12 to be reserved for a possible future fire station use if desired by the City. However, because neither the City nor the Riverside County Fire Department has considered nor identified a need for a fire station at this location, there is no current plan for development of a fire station. In addition, a fire station is already contemplated in the RSGSP development agreement. As indicated in **Chapter 3.0** of

this EIR, construction of this fire station is not required to serve the Development Project. Accordingly, development of a fire station at the Development Site is considered speculative and is not growth inducing. If the City and County Fire Department elect to proceed with a fire station at a future date, they would be responsible for the planning, design, construction, and future environmental analysis and development of the fire station.

The related public facilities projects described above are either sized specifically for the Development Project or already planned for by the City in its General Plan, or in connection with other approved projects. The Project does not require construction of new community services facilities to serve it. Because the Project maintains existing housing capacity by moving residential units from the Development Site to the MSJC Site, and the jobs created by the Development Project will serve to improve the jobs-housing balance by creating job opportunities in the City and nearby area, the Development Project will not increase population in the City. When considered together, it is reasonable to conclude the Development Project would not facilitate unplanned growth that could significantly affect the environment.