# 4.9 HAZARDS AND HAZARDOUS MATERIALS

This section describes known and potential hazards and hazardous materials conditions at the Development Site and in the surrounding area, relates potentially significant adverse public health impacts anticipated as a result of the Development Project, and addresses the proposed impacts with consideration of local, State, and federal regulations and policies and provides recommended measures pursuant to the California Environmental Quality Act (CEQA). For the purposes of the analysis in this section of the Environmental Impact Report (EIR), hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and petroleum products that, if released, are harmful to human health and the environment. The hazards and hazardous materials analysis in this section is based on the project-specific technical analysis contained in the *Phase I Environmental Site Assessment, Sunset Crossroads Development* (Phase I ESA), prepared by McAlister GeoScience (McAlister) in June 2020, and updated in May 2023. The findings of this report are summarized in this section, with the complete report included as **Appendix G-1** of this EIR**.**

While development of the Mt. San Jacinto College (MSJC) Site is not anticipated at this time, a programmatic discussion of potential impacts related to hazards and hazardous materials that may result from future development is provided in **Chapter 5.0** of this EIR.

## 4.9.1 Scoping

The City of Banning (City) received nine comment letters during the public review period of the Notice of Preparation (NOP). For copies of the NOP comment letters, refer to **Appendix A** of this EIR. Two comment letters included comments related to hazards and hazardous materials.

- The letter from Mr. Ron Roy and Ms. Kim requests that the EIR indicate how toxic runoff from the Development Project will be handled. The comment further states that the EIR should document and quantify what toxic runoff will be expected from the proposed warehouse uses.

- The Riverside County Airport Land Use Commission (ALUC) stated the Project is located outside the Airport Influence Area established for Banning Municipal Airport and that the ALUC has no comments regarding the Development Project.

No comments pertaining to hazards or hazardous materials were received during the Scoping Meeting that occurred on Thursday, February 18, 2021.

## 4.9.2 Methodology

To assess the impacts of the Development Site with respect to existing hazardous materials conditions, McAlister prepared a site-specific Phase I ESA, specifically for the portions of Assessor's Parcel Numbers (APNs) 537-110-003, 004, 005, 007, 008, 011, and 012; and 537-120-013, 025, and 028 through 036. The Phase I ESA was prepared in accordance with the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E1527-21) to identify, to the extent feasible, the presence of

recognized environmental conditions (RECs)[1] with respect to the Development Site as defined in ASTM E1527-21. ASTM defines an REC in the E1527-21 standard as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions." Operational impacts are also evaluated and assessed according to compliance with applicable policies and regulations governing the transport, storage, and emission of hazardous materials and wastes.

#### *4.9.2.1 Background Research and Data Review*

A records review was performed for the Development Site and surrounding properties on May 17, 2020 and updated on May 17, 2023, to identify potential RECs in connection with the Development Site and assess potential concerns associated with the migration of hazardous substances to the Development Site from off-site sources. The records review included reasonably ascertainable historical data, which can be helpful in identifying the past uses of the Development Site and surrounding areas, as they may relate to the environmental condition of the Development Site.

A Phase 1 Environmental Site Assessment was conducted for the Development Site. During this assessment, a historical review of the Development Site and surrounding parcels revealed the Development Site has remained undeveloped since at least the early 1900s. Prior to the 1950s, the surrounding areas were largely undeveloped or developed for agricultural use, primarily grazing. Agricultural activities around the Development Site largely stopped by the 1960s, and by the mid-1970s, commercial or industrial activities began north of the Development Site. In the 1980s, areas east and west of the Development Site were developed for residential as they are today. Because the Development Site has remained undeveloped for at least the last century and uses on the Development Site appear to have been limited to active and passive grazing, without organized farming or similar intensive agricultural uses, no agricultural hazards, such as pesticides, should occur on the Development Site.

A search of the California Office of Environmental Health Hazard Assessment database and Cleanup Sites Map indicated no active cleanup sites within the vicinity of the Development Site. Two inactive sites are located approximately 0.5 mile north of the Development Site, north of Interstate 10 (I-10). Because no active or historic cleanup sites are located within the vicinity of the Development Site, the risk of existing contamination and the need for cleanup is considered low at the Development Site.

#### *4.9.2.2 Site Reconnaissance*

On May 19, 2020 and May 26, 2023, the Development Site was visually assessed for potential RECs, including, but not limited to, potential underground storage tanks, aboveground storage tanks, polychlorinated biphenyl-containing equipment, hazardous materials storage or handling areas, containerized or bulk wastes, and visual indications of impacted soil.

[1] A recognized environmental condition is the presence or likely presence of hazardous materials or petroleum products under conditions indicating an existing or past release or a material threat of a release into structures or soil or groundwater or surface water, even under conditions in compliance with laws.

The Development Site is located approximately 3.3 miles west of the nearest airport, Banning Municipal Airport. The airport is outside the Development Project study area. While the Development Site is due west of the east-west oriented runway and is subsequently subject to the regular flight path of aircraft taking off from and landing at the airport, the distance from the airport to the Development Site is great enough to eliminate the airport from additional evaluation of potential hazards.

The Northern Portion of the Development Site is located within the Local Responsibility Area (LRA), in this case the City of Banning. The Sphere of Influence (SOI) is within the State Responsibility Area (SRA). While the Development Site is located in a wildland-urban interface (WUI) setting, it is not located in an area statutorily designated as a Moderate, High, or Very High Fire Hazard Severity Zone (FHSZ) by CAL FIRE or Riverside County; rather the Development Site is accurately designated as LRA Non-VHFHSZ. Adjacent lands in the LRA north, northeast, and west of the Development Site are also designated non-VHFHSZ. Within the SRA, the Southern Portion of the Development Site is designated non-FHSZ. Lands south and southeast of the Development Site in the SRA are designated as High and Very High FHSZ in an SRA.[2] Should the Southern Portion of the Development Site be annexed by the City, it is possible that the entire Development Site could be redesignated as an LRA in future CAL FIRE mapping of Hazard Severity Zones. Adjacent lands in the SRA south of the Development Site are also located within a non-FHSZ. The nearest Fire Hazard Severity Zone to the Development Site is undeveloped land approximately 0.5 mile southwest of the Development Site along the southern border to the Sun Lakes community.

## 4.9.3 Existing Environmental Setting

This section describes the environmental setting that currently exists at the Development Site. This section also describes the environmental setting that exists in the greater vicinity of the Development Site, including within the City of Banning, and in Riverside County.

### *4.9.3.1 Riverside County and the City of Banning*

The Development Site is located in the City of Banning, in Riverside County. Surrounding land uses include residential subdivisions, public facilities, and open space. The Sun Lakes Country Club, comprising a large age-restricted residential community and golf courses, is located along the west side of Highland Homes Road. The Rancho San Gorgonio (RSG) Specific Plan, an approved 831-acre master planned residential community, is located east of Sunset Avenue, south of the eastern extension of Sun Lakes Boulevard.

### *4.9.3.2 Development Site*

The approximately 533.8-acre Development Site is characterized by undeveloped grasslands, with three named natural drainages (i.e., Pershing Creek, Smith Creek, and Highland Wash). Topographically, the Development Site elevation changes approximately 120 feet, ranging from a low elevation of 2,399 feet above mean sea level (amsl) at the southeastern corner to a high elevation of 2,523 feet amsl at the northwestern corner property. Several street, utility, gas and oil pipelines, landscaping, and communications systems easements transect the Development Site. A water pump

[2] Dudek. 2023. *Fire Protection Plan, Sunset Crossroads, County of Riverside, California,* Figure 1A. November.

station and several municipal water wells (not part of the Development Site) exist along the previous extension of Sun Lakes Boulevard/Westward Avenue. Overhead and underground utility lines are present along the Development Site perimeter boundaries.

## 4.9.4 Regulatory Setting

Hazards and hazardous materials are subject to numerous federal, State, and local laws and regulations intended to protect health, safety, and the environment. The U.S. Environmental Protection Agency (EPA), the California Environmental Protection Agency (Cal/EPA), the California Department of Toxic Substances Control (DTSC), the Santa Ana Regional Water Quality Control Board (RWQCB), and the County of Riverside (County) are the primary agencies responsible for enforcing these regulations. Local regulatory agencies enforce many federal and State regulations through the Certified Unified Program Agency (CUPA) program.

### *4.9.4.1 Federal Regulations*

The following federal regulations would be applicable to the Development Project:

- **Occupational Safety and Health Administration (OSHA), Title 29 CFR:** OSHA is the federal agency responsible for ensuring worker safety. These regulations provide standards for safe workplaces and work practices, including those relating to hazardous materials handling.

- **EPA, Title 40 CFR 700–799 (Toxic Substances Control Act):** The Toxic Substances Control Act regulates manufacturing, inventory, and disposition of industrial chemicals, including hazardous materials. It addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls, asbestos-containing materials, and lead-based paint.

- **EPA, Title 40 CFR 280–302 (Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks):** These requirements regulate design, installation, and operation of underground storage tanks containing potentially hazardous substances. They address the design, installation, and operation requirements and additionally address responsibility, liability, and training requirements.

- **United States Department of Transportation (USDOT) Regulations, Title 49 CFR:** USDOT, in conjunction with the EPA, is responsible for enforcement and implementation of federal laws and regulations pertaining to safe storage and transportation of hazardous materials. The Code of Federal Regulations (CFR) 49, 171–180, regulates the transportation of hazardous materials, types of material defined as hazardous, and the marking of vehicles transporting hazardous materials.

- **Federal Aviation Regulations – Title 14 of the Code of Federal Regulations (CFR), Part 77:** The Federal Aviation Administration (FAA) is responsible for the review of construction activities that occur in the vicinity of airports. Its role in reviewing these activities is to ensure that new structures do not result in a hazard to aviation. The regulations in the Federal Aviation Regulations (14 CFR, Part 77) are designed to ensure that no obstructions in navigable air space are allowed to exist that would endanger the public. Federal Aviation Regulations Part 77 identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. The extent of the off-airport coverage that needs to be evaluated for tall structure

impacts can extend miles from an airport facility. In addition, Federal Aviation Regulations – Title 14 of the CFR, Part 77, establishes standards for determining whether objects constructed near airports will be considered obstructions in navigable airspace, sets forth notice requirements of certain types of proposed construction or alterations, and provides for aeronautical studies to determine the potential impacts of a structure on the flight of aircraft through navigable airspace.

- **Resource Conservation and Recovery Act (RCRA):** Federal law that gives the Environmental Protection Agency (EPA) the authority to develop and manage the waste management program, specifically for hazardous and non-hazardous solid waste.

- **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA):** Federal regulation, known as "superfund," that provides funding for uncontrolled or abandoned hazardous waste spill sites. CERCLA also covers accidental spills and other types of emergency releases of toxic or hazardous pollutants. Because hazardous materials would be present on the Development Site during operation, the potential for spills would exist, and CERCLA would apply. There are no superfund sites identified within the Development Site, or in the vicinity of the Development Site.

#### *4.9.4.2 State Regulations*

The following state regulations would be applicable to the Development Project:

- **Assembly Bill 2948:** In response to the growing statewide concern of hazardous waste management, Assembly Bill (AB) 2948 (California Hazardous Waste Control Act of 1986) enacted legislation authorizing local governments to develop comprehensive hazardous waste management plans. The intent of each plan is to ensure that adequate treatment and disposal capacity is available to manage the hazardous wastes generated within its jurisdiction.

- **California Occupational Safety and Health Administration (Cal/OSHA) Regulations:** Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA requires many entities to prepare injury and illness prevention plans and chemical hygiene plans, and provides specific regulations to limit exposure of construction workers to lead.

- **Cortese List Statute (California Government Code, §65962.5):** This regulation requires the DTSC to compile and maintain lists of potentially contaminated sites throughout the State and includes the Hazardous Waste and Substances Sites List. The overall list is called the "Cortese" List.

- **Safe Drinking Water and Toxic Enforcement Act (Proposition 65, California Health and Safety Code, §25249.5 et seq.):** The Safe Drinking Water and Toxic Enforcement Act is similar to the Federal Safe Drinking Water Act and Clean Water Act in that it regulates the discharge of contaminants to groundwater.

- **California Government Code 51178:** The State Fire Marshal shall identify areas in the State as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high,

and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.

- **California Building Code Chapter 7A:** This regulation establishes new rules for construction of industrial, commercial, and residential projects to improve fire safety and prevention. This regulation requires the use of ignition resistant construction materials and would allow for the fire department to potentially shelter individuals on site, while older and more vulnerable developments evacuate.

- **California Health and Safety Code Sections 25280–25299.8:** These regulations establish rules for operation and maintenance of underground storage of hazardous substances, including the fuel storage tanks required for the proposed travel center at the Development Site. Tanks are required to have continuous leak detection systems capable of detecting the entry of the stored substance from the primary containment into the secondary containment and be capable of detecting water intrusion into the interstitial space from the environment.

- **California Code of Regulations Title 23, Division 3, Chapter 16, Underground Tank Regulations:** These regulations establish rules governing underground storage tanks in order to protect waters of the state from discharges of hazardous substances.

#### *4.9.4.3 Regional Regulations*

The following regional regulations would be applicable to the Development Project:

- **Southern California Association of Governments:** Regional planning in Orange, Los Angeles, Ventura, Riverside, San Bernardino, and Imperial Counties is conducted by the Southern California Association of Governments (SCAG). SCAG is also the federally designated Metropolitan Planning Organization (MPO) for these six counties. As the designated MPO, SCAG is mandated by the federal government to research and prepare plans for transportation, a growth forecast, hazardous waste, and air quality.

- **Riverside County General Plan:** The following policies from the Riverside County General Plan pertain to hazardous materials and apply to the Development Project.

  **S 5.1** Enforce land use policies and existing criteria related to hazardous materials and waste through ongoing implementation of the programs identified in the County's Hazardous Waste Management Plan (CHWMP).

  **S 5.2** Review all proposed development projects that manufacture, use, or transport hazardous materials for compliance with the CHWMP. Such projects shall provide a buffer zone, to be determined by the County, between the installation and property boundaries sufficient to protect public safety.

  **S 5.3** Require that applications for discretionary development projects that will generate hazardous wastes or use hazardous materials include detailed information on hazardous waste reduction, recycling, and storage.

**S 5.4** Ensure that industrial facilities are constructed and operated in accordance with current safety and environmental protection standards.

**S 5.5** Regulate the storage of hazardous materials and wastes and require secondary containment and periodic examination for all such materials as necessary.

**S 5.6** Require that any business that handles a hazardous material prepare a plan for emergency response to a release or threatened release of a hazardous material, including providing updated information to emergency responders on the type and quantity of hazardous materials kept on-site.

**S 5.7** Identify sites that are inappropriate for hazardous material storage, maintenance, use, and disposal facilities due to potential impacts on adjacent land uses and the surrounding natural environment. Prohibit the siting of new or expanded hazardous material facilities on such sites to the extent feasible.

**S 5.8** Ensure that the use and disposal of hazardous materials in the County complies with local, state, and federal safety standards.

**S 5.9** Require commercial businesses, utilities, and industrial facilities that handle hazardous materials to install automatic fire and hazardous materials detection, reporting, and shut-off devices, and install an alternative communication system in the event power is out or telephone service is saturated following an earthquake.

- **Certified Unified Program Agency:** Senate Bill (SB) 1082 provides for the designation of a CUPA that would be responsible for the permitting process and collection of fees in regard to hazardous materials. The CUPA would be responsible for implementing at the local level the Unified Program, which serves to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities for the following environmental and emergency management programs:

    - Hazardous Waste;
    - Hazardous Materials Business Plan;
    - California Accidental Release Prevention Program;
    - Underground Hazardous Materials Storage Tanks;
    - Aboveground Petroleum Storage Tanks/Spill Prevention Control & Countermeasure Plans; and
    - Hazardous Waste Generator and On-Site Hazardous Waste Treatment (tiered permitting) Programs.

  The Riverside County Department of Environmental Health (DEH) Hazardous Materials Branch is designated as the CUPA responsible for implementing the above-listed program elements. The laws and regulations that established these programs require that businesses that use or store certain quantities of hazardous materials submit a Hazardous Materials Business Plan (HMBP) that describes the hazardous materials usage, storage, and disposal required by the CUPA.

  As the CUPA, the DEH Hazardous Materials Branch coordinates the following seven programs regulating hazardous materials and hazardous wastes in Riverside County:

- Underground Storage Tanks (UST);
- Aboveground Storage Tanks (AST);
- CA Accidental Release Program;
- HMBP;
- Emergency Response Team;
- Waste Generator; and
- Waste Treatment (tiered).

- **Riverside County Department of Environmental Health:** The California Environmental Protection Agency has designated the Riverside County Department of Environmental Health as the CUPA. The CUPA ensures consistent implementation of the hazardous materials programs within the County.

#### *4.9.4.4 Local Regulations*

The following local regulations would be applicable to the Development Project:

- **City of Banning General Plan Hazardous and Toxic Materials Element:** The Hazardous and Toxic Materials Element of the City's General Plan describes existing hazardous and toxic materials within the City of Banning. Policies and programs serve as tools that the City can use to help maintain the safe management of hazardous and toxic materials in the community.

- **City of Banning General Plan Water, Wastewater, and Utilities Element, Policy 1:** The City shall coordinate between the City Utility Department-Water Division, Banning Heights Mutual Water Company, Beaumont/Cherry Valley Water Agency, San Gorgonio Pass Water Agency, California Regional Water Quality Control Board and Riverside County Environmental Health to protect and preserve local and regional water resources against overexploitation and contamination.

- **City of Banning Municipal Code Chapter 8.36 Hazardous Materials:** As outlined in **RCM HAZ-1**, prior to commencement of construction activities, the Applicant/Developer shall submit an HMBP to the Riverside County DEH and the Riverside County Fire Department. The HMBP shall at minimum include an inventory of hazardous materials used and stored on site, a site map, an emergency plan, and a training program for employees.

- **City of Banning General Plan:** The following policies in the Hazardous and Toxic Materials Element apply to development on the Development Site:

  **Policy 1** The City shall continue to encourage research on potential and known hazards to public health and safety and make this information available to the general public, commercial interests, and governmental organizations.

  **Policy 2** The City shall continue to conduct and participate in studies with other agencies to identify existing and potential hazards to public health and safety.

  **Policy 3** The City shall thoroughly evaluate development proposals for lands directly adjacent to sites known to be contaminated with hazardous or toxic materials,

traversed by natural gas transmission lines or fuel lines, or sites that use potentially hazardous or toxic materials.

**Policy 4** Require and facilitate the adequate and timely cleanup of contaminated sites identified within the City of Banning and its sphere-of-influence.

**Policy 5** The City shall designate appropriate access routes to facilitate the transport of hazardous and toxic materials.

**Policy 6** Continue to promote programs that encourage or educate the public in the proper handling and disposal of household hazardous waste or dangerous materials.

**Policy 7** The City shall actively oppose plans to establish hazardous or toxic waste dumps, landfills, or industrial processes that may potentially adversely affect the City and its Sphere-of-Influence.

**Policy 8** Maintain an inventory and information database, including mapping, of all major natural gas transmission lines and liquid fuel lines within the City limits and Sphere of Influence.

For both transmission and distribution level facilities, Banning Electric Utility (BEU) meets: (1) Public Resources Code Section 4292; (2) Public Resources Code Section 4293; (3) General Order 95 Rule 35; and (4) the GO 95 Appendix E Guidelines to Rule 35 requirements.[3,4]

### 4.9.5 Thresholds of Significance

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the *CEQA Guidelines*. According to Section II of Appendix G of the *CEQA Guidelines*, the Development Project would result in a significant impact associated with hazards and hazardous materials if the Development Project or any Development Project-related component would:

**Threshold 4.9.1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**

**Threshold 4.9.2: 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.**

[3] Generally, these requirements pertain to clearance of vegetation and tree trimming in the vicinity of electrical-utility features.

[4] Chapter 1206 of the California Fire Code was added to address a wide range of systems to generate and store energy. This chapter addresses standby and emergency power, portable generation, photovoltaic systems, fuel cell energy systems, and energy storage systems. The provisions of this chapter apply to the installation, operation, maintenance, repair, retrofitting, testing, commissioning, and decommissioning of these energy systems. It is anticipated the installation and operation of a battery energy storage system as envisioned, as permitted under the Specific Plan, would be conditioned by the City to demonstrate compliance with California Fire Code Chapter 1206.

**Threshold 4.9.3:** **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.**

**Threshold 4.9.4:** **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.**

**Threshold 4.9.5:** **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

**Threshold 4.9.6:** **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

**Threshold 4.9.7:** **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.**

## 4.9.6 Development Project Impacts

### *4.9.6.1 Transport, Use, or Disposal of Hazardous Materials*

***Threshold 4.9.1: Would the Development Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Development of the Development Project has the potential to transport, use, or dispose of hazardous materials during construction and operational activities.

Construction of the Development Project would temporarily increase the regional transport, use, and disposal of construction-related hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals). These materials are commonly used at construction sites, and the construction activities would be required to comply with applicable State and federal regulations for proper transport, use, storage, and disposal of excess hazardous materials and hazardous construction waste. In addition, **Regulatory Compliance Measures (RCMs) WQ-1**, **WQ-2**, and **WQ-3** provided in **Section 4.10** of this EIR would require compliance with the waste discharge permit requirements to avoid potential impacts to water quality due to spills or runoff from hazardous materials used during construction. Therefore, with adherence to the regulatory standards included in **RCMs WQ-1, WQ-2,** and **WQ-3**, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be ***less than significant***.

Commercial and industrial uses operated on the Development Site may include the use and disposal 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 loading dock areas in addition to the parking areas. Development of the Development Project is not anticipated to generate or use major hazardous materials and would not create unusually high quantities of hazardous waste. In addition, if a future use would include a business that would handle or use significant quantities of hazardous materials, the City is required in accordance with its General Plan to process such use by the issuance of a City approved Conditional Use Permit (CUP). The CUP would ensure the business is conditioned to comply with all federal, State, and local regulations related to hazardous materials. If the future business does not comply with the CUP, the CUP can be revoked through a public hearing process.

Although the specific businesses that will occupy the Development Site are unknown at this time, the types of business activities that will occur at the Development Site are outlined in **Chapter 3.0** of this EIR. Some of these proposed activities would include a complete travel center including retail and convenience sales, vehicle/truck wash, 20 vehicle fueling stations and six (6) commercial fueling stations with total capacity for four 20,000-gallon underground storage tanks, restaurants that would utilize refrigerated storage facilities, and commercial and industrial uses that may utilize TRUs that would transport perishable material to and from the Development Site during operation. The commercial and industrial operations may also utilize large-scale refrigeration on site for perishable materials. Additionally, a battery energy storage system (BESS) facility would be a permitted use and may be located in the industrially zoned areas of the Development Site. The BESS would be a privately owned and operated 65-megawatt-hour (MWh) battery energy storage facility proposed to support storage of energy by the BEU. The facility would be a permitted use and may be constructed anywhere within the industrial zoned areas of the Development Site. However, it is anticipated to be located in proximity to the planned electrical substation located in Planning Area 7. No off-site electricity transmission is anticipated from the BESS. All businesses will be required to comply with Chapter 8.36 Hazardous Materials of the City of Banning Municipal Code (refer to **RCM HAZ-1**). The BESS, if proposed for development, would also be required to comply with **RCM HAZ-1** below. Business owners on the Development Site will be required to prepare Material Safety Data Sheets (MSDSs) as part of the HMBP for any hazardous substance that will be handled, manufactured, or used in the business (pursuant to the Hazardous Substances Information and Training Act [Section 6360, Chapter 2.5, Part 1 of Division 5 of the California Labor Code]). The Riverside County Fire Department serving the City of Banning will be provided the MSDSs for each of the individual businesses that will occupy the Development Site to ensure the hazardous material types on site are known and the Riverside County Fire Department can provide adequate emergency service in the event of a hazardous substance release. As required by Chapter 8.36 of the City of Banning Municipal Code, business owners on the site will be required to submit a completed disclosure form annually that identifies the hazardous substances that will be utilized.

The DEH Hazardous Materials Branch identifies types and amounts of waste generated in the County and establishes programs for managing waste. The DEH maintains a Hazardous Material Management Plan, which ensures that adequate treatment and disposal capacity is available to manage the hazardous waste generated within the County and address issues related to the disposal, handling, processing, storage, and treatment of local hazardous materials and waste products.

The Development Project includes retail pads, a refueling station, and associated infrastructure improvements. Construction of the Development Project would require the transport and disposal of

hazardous materials on and off site, including gasoline, diesel, lubricants, and various petroleum-based products used to operate construction equipment. The transportation, application, and handling of these materials would be temporary during Development Project construction. Per construction specifications and Best Management Practices (BMPs), contractors would be responsible for accident prevention and containment, including properly managing hazardous materials and wastes. Contractors would be subject to applicable regulations regarding hazardous materials and waste management and disposal.

The operation of the proposed fueling station includes the handling and transport of hazardous materials such as gasoline and diesel fuels. These activities pose a potentially significant hazard. Transport of these materials, refilling USTs, spilling fuel while refueling vehicles, and a variety of potential accidents could result in the accidental release of these materials into the environment. The California Health and Safety Code, Section 25280, requires USTs installed after 1988 to have leak detection systems consisting of at least one of the following features: secondary containment with interstitial monitoring, automatic tank gauging systems, vapor monitoring (including tracer compound analysis), groundwater monitoring, statistical inventory reconciliation, or similar feature meeting performance standards.

As discussed above, some of the proposed activities that could produce hazardous waste would include 20 vehicle fueling stations and six (6) commercial fueling stations with total capacity for four 20,000-gallon underground storage tanks, restaurants that would utilize refrigerated storage facilities, and commercial and industrial uses that may utilize TRUs that would transport perishable material to and from the Development Site during operation. The commercial industrial operations may also utilize large-scale refrigeration on site for perishable materials. The DEH would review the uses operating on the Development Site for hazardous material use, safe handling, and storage of materials. Prior to the issuance of grading permits, the DEH would apply conditions of approval to the Development Site to reduce hazardous material impacts and ensure that any hazardous waste generated at the Development Site would be safely stored and transported to an appropriate disposal facility by a licensed hauler in accordance with State and federal law. Therefore, due to the type and nature of the uses that would operate on the Development Site, and compliance with the conditions of approval identified below, their implementation would result in ***less than significant*** impacts related to the routine transport, use, or disposal of hazardous materials; no mitigation is required.

**Level of Significance Prior to Mitigation:** Less Than Significant Impact.

**Regulatory Compliance Measures and Conditions of Approval:** While the potential impact would be less than significant, the following Regulatory Compliance Measures are existing regulations that are applicable to development of the Development Site and are considered in the analysis of potential impacts related to hazards and hazardous materials. The City of Banning considers these requirements to be mandatory; therefore, they are not mitigation measures.

- **California Department of Environmental Health (DEH) Condition of Approval.** The Development Project would ensure any hazardous waste generated are stored and transported to an appropriate disposal facility by a licensed hauler in accordance with State and federal law.

- **COA WQ-1: City of Banning Community Development Department Condition of Approval.** Prior to the Issuance of the first BESS-related building permit, the Applicant shall develop a reclamation plan, which shall be approved by the City's Community Development Department to be implemented upon the removal of the BESS facilities (the "approved Reclamation Plan"). The approved Reclamation Plan shall include, but not be limited to, the following:

    - Identification of improvements to be removed and discarded at the closure of the BESS.
    - Identification of improvements and materials to be recycled at the closure of the BESS.
    - Identification of final disposal landfill that will accept materials.
    - Remediation of any reported releases of hazardous substances that occur during BESS operations according to the corrective actions proscribed by the identified lead agency.
    - Requirement that upon completion of the BESS operations the following shall be carried out by the Applicant (including its successors and assigns): (a) all mobile equipment associated with BESS activities, any conduits and wiring not used as part of the BESS activities, and stationary structures and foundations and hazardous materials shall be removed, (b) the City shall be provided with a report, prepared by a licensed engineer, architect, or contractor, that all permanent foundations (including footings) have been removed and properly discarded; and (c) a closure permit for all above ground hazardous materials storage facilities associated with the BESS, if any, shall be obtained by the Applicant.

**RCM WQ-1** **Construction General Permit.** Prior to commencement of construction activities, the Applicant shall obtain coverage under the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit),* NPDES No. CAS000002, Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014- DWQ and Order No. 2012-0006-DWQ, or any other subsequent permit. This shall include submission of Permit Registration Documents (PRDs), including permit application fees, a Notice of Intent (NOI), a risk assessment, a site plan, a Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement, and any other compliance-related documents required by the permit, to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained for the Development Project from the SMARTS and provided to the Director of the City of Banning Public Works Department, or designee, to demonstrate that coverage under the Construction General Permit has been obtained. Development Project construction shall comply with all applicable requirements specified in the Construction General Permit, including but not limited to, preparation of an SWPPP and implementation of construction site Best Management Practices (BMPs) to address all construction-related activities, equipment, and materials that have the potential to impact water quality for the appropriate risk level identified for the Development Project. The

SWPPP shall identify the sources of pollutants that may affect the quality of storm water and shall include BMPs (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs) to control the pollutants in storm water runoff. Upon completion of construction activities and stabilization of the Development Site, a Notice of Termination shall be submitted via SMARTS.

**RCM WQ-2** In compliance with City of Banning Ordinance No. 1388 Grading, Erosion, and Sediment Control, the Development Project Applicant shall submit a grading plan and erosion control plan to the Director of the City of Banning Public Works Department, or designee, for review and approval prior to issuance of a grading permit for each individual development that would occur on the Development Site. The Applicant shall also submit erosion and sediment control plans annually to the Director of the City of Banning Public Works Department, or designee, for review and approval.

**RCM WQ-3** Prior to issuance of a grading permit, the Applicant shall submit a Final Water Quality Management Plan (WQMP) to the Director of the City of Banning Public Works Department or designee for review and approval. The Final WQMP shall specify: 1) the BMPs to be incorporated into the Development Project design to target pollutants of concern in runoff from the Development Site and from each proposed land use; 2) the target pollutant(s) to be captured from each building/land use and treated by each BMP; 3) the metric for ensuring the BMP is addressing the target pollutant(s) of concern; 4) the necessary operation and maintenance activity for each BMP; and 5) the specific action to be taken if it is determined that the BMP is not meeting its intended goal(s). The Final WQMP shall also incorporate the results of the Final Hydrology and Hydraulic Analyses to demonstrate that the detention facilities meet the hydromodification requirements of the Whitewater River Watershed MS4 Permit. The Director of the City of Banning Public Works Department, or designee, shall ensure that the BMPs specified in the Final WQMP are incorporated into the final Development Site design.

**RCM HAZ-1** **Hazardous Materials Business Plan.** Prior to commencement of construction activities, the Applicant/Developer shall submit a Hazardous Materials Business Plan (HMBP) to the Riverside County Department of Environmental Health (DEH) and the Riverside County Fire Department. The California Environmental Protection Agency has designated the Riverside County Department of Environmental Health as the Certified Unified Program Agency (CUPA). The HMBP shall at minimum include an inventory of hazardous materials used and stored on site, a site map, an emergency plan, and a training program for employees.

**Level of Significance After Mitigation:** Less Than Significant Impact.

Through implementation of the conditions of approval and regulatory compliance measures above, compliance with all applicable regulations presented in **Section 4.9.4**, and adherence to BMPs, potential impacts from the transport, use, storage, and disposal of hazardous materials, including

fuels stored in the underground tanks for the fueling stations at the proposed travel center, would be *less than significant*. No mitigation is required.

### *4.9.6.2 Accidental Release of Hazardous Materials*

***Threshold 4.9.2: Would the Development Project 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?***

Development of the Development Project has the potential for accidental releases of hazardous materials during construction and operational activities as discussed below.

As previously referenced, a number of gas and oil pipelines transect the Development Site[5]. A water pump station and several municipal water wells (not part of the Development Site) are present along the Sun Lakes Boulevard alignment. Overhead and underground utility lines are present along the Development Site perimeter boundaries. The existing Union Pacific Railroad located north of the Development Site is identified in the Phase 1 ESA as a "de minimis" condition[6,7]. California Government Code (CGC) Section 4216 provides for the delineation and notification of subsurface utility and conveyance systems. This code further provides the process of establishing standards relevant to the safety practices required for the excavation in the vicinity of subsurface installations.

As required by CGC Section 4216, standard pre-construction practices require appropriate care to define the location, alignment, depth, and operational status of pipelines, above- and below-ground utilities, and other features. It is anticipated that compliance with applicable provisions of CGC Section 4216 and the specific requirements of the facility operator would be followed to ensure the integrity of existing facilities during construction and operation. The electrical transformers and generator associated with the City-owned wells are not part of the Development Site and would not be within the area of future earth disturbance.

Due to the presence of existing pipeline(s) and/or utility features on the Development Site, a potential exists that ground disturbance and/or construction activity may result in an advertent release of hazardous materials (through disturbance, breach, or other accident). Because the nature, location, extent, and/or severity of such a release cannot be known at this time, it is reasonable that the reporting, control, repair, and/or remediation of any such release would conform to applicable local,

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5 A petroleum pipeline is located along the north side of the SLB alignment, marked by signs, flags, and spray paint. A gas pipeline crosses the Northern Portion of the Development Site, marked by signs and exposed where the pipeline crosses the drainages. An above ground storage tank (AST) was observed at the southwest corner of the intersection of Sunset and Westward Avenue. The tank was empty, no markings were visible, and holes were cut in the sides, allowing visual inspection of the interior. No staining or evidence of past releases was observed in the surrounding soils. No underground tanks, unusual or noxious odors, stained soil or pavement, stressed vegetation, leach fields or septic tanks, sumps or floor drains, pits or ponds of liquid, or evidence of fill sites or dumping were identified during the site reconnaissance. A transformer was located at each of the four City wells (which are "not a part" of the Development Site). No leaks or staining were observed at these transformers or at the site of the wells' backup generator. See Section 5.0 of *Phase I Environmental Site Assessment, Sunset Crossroads Development*.

6 *Di minimis* is typically something that is too trivial or minor in terms of value, importance, or severity to merit consideration.

7 While rail operations may involve the transport of hazardous materials, it is speculative to anticipate if or to what extent hazardous materials may be released should a rail accident occur in the vicinity of the Development Project.

State, and federal requirements, thereby ensuring the appropriate protection of persons and property in the project area.

Implementation of the Development Project would involve use of hazardous materials and could result in accidental releases of hazardous materials. As discussed in **Section 4.9.6.1** above, some of these proposed activities would include a fueling facility with 20 vehicle fueling stations and six (6) commercial fueling stations with four 20,000-gallon underground storage tanks, restaurants that would utilize refrigerated storage facilities, and commercial and industrial uses that may utilize TRUs that would transport perishable material to and from the Development Site during operation. The commercial industrial operations may also utilize large-scale refrigeration on site for perishable materials. The Development Project includes up to 330,000 square feet of cold storage in Phase 2 (buildings 5 and 6). **RCM HAZ-1** would require compliance with the waste discharge permit requirements to ensure construction contractors maintain equipment and supplies on site for containing and cleaning up hazardous materials spills, and would train workers in such containment and cleanup. In the event of an accidental hazardous materials release of toxicity and/or quantity that on-site workers would be unable to safely contain and clean up, the construction contractor would notify the DEH of the release immediately. The use, storage, transport, and disposal of hazardous materials in construction of the Development Project would not cause significant hazards to the public or the environment through accidental releases of hazardous materials. Construction impacts would be ***less than significant***.

As discussed in **Section 4.9.6.1** above, the operation of the proposed fueling station includes the handling and transport of hazardous materials such as gasoline and diesel fuels. These activities pose a potentially significant hazard. Transport of these materials, refilling USTs, spilling fuel while refueling vehicles, and a variety of potential accidents could result in the accidental release of these materials into the environment. The California Health and Safety Code, Section 25280, requires USTs installed after 1988 to have leak detection systems consisting of at least one of the following features: secondary containment with interstitial monitoring, automatic tank gauging systems, vapor monitoring (including tracer compound analysis), groundwater monitoring, statistical inventory reconciliation, or similar feature meeting performance standards.

Commercial and warehouse uses built and operating on the Development Site may include the usage of hazardous materials. Commercial land uses utilizing hazardous materials would be required to prepare and submit an HMBP to the DEH, as described by **RCM HAZ-1**. An HMBP includes an inventory of hazardous materials used and stored on site, a site map, an emergency plan, and a training program for employees. The use, storage, transport, and disposal of hazardous materials in operations of the Development Project would not cause significant hazards to the public or the environment through accidental releases of hazardous materials. Impacts would be ***less than significant***.

**Level of Significance Prior to Mitigation:** Less Than Significant Impact.

**Regulatory Compliance Measures and Mitigation Measures:** Implementation of RCM HAZ-1 and RCMs WQ-1 and WQ-2 identified above.

**Level of Significance After Mitigation:** Less Than Significant Impact.

### *4.9.6.3 Emit Hazardous Emissions near a School*

***Threshold 4.9.3: Would the Development Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

The Mt. San Jacinto Community College (MSJCC) San Gorgonio Pass Campus is located adjacent to the western edge of the Development Site, and Hemmering Elementary School is located approximately 0.9 mile northwest of the Development Site. As discussed in **Section 4.9.6.1** above, some of these proposed activities would include 20 vehicle fueling stations and six (6) commercial fueling stations with total capacity for four 20,000-gallon underground storage tanks, restaurants that would utilize refrigerated storage facilities, and commercial and industrial uses that may utilize TRUs that would transport perishable material to and from the Development Site during operation. The commercial industrial operations may also utilize large-scale refrigeration on site for perishable materials. Additionally, emissions from vehicles driven by employees, customers, and transport trucks delivering goods and materials to and from the Development Site will occur. Discussion of these emissions and potential impacts on sensitive receptors is included in **Section 4.3** of this EIR. Any use utilizing hazardous materials within the Development Site would be required to comply with **RCM HAZ-1** and submit an HMBP to the DEH and the Riverside County Fire Department. In addition, the Development Project would comply with **RCM WQ-1**, which provides preventative measures for accidental spills during construction. Construction and operation of uses on the Development Site within 0.25 mile of the MSJCC campus and Hemmering Elementary School would not pose substantial hazards to persons on those campuses with implementation of the RCMs. Therefore, impacts to schools within a quarter mile of the Development Site would be ***less than significant***.

**Level of Significance Prior to Mitigation:** Less Than Significant Impact.

**Regulatory Compliance Measures and Mitigation Measures:** Implementation of RCM HAZ-1 and RCM WQ-1 identified above.

**Level of Significance After Mitigation:** Less Than Significant Impact.

### *4.9.6.4 Located on a Site Listed under Government Code Section 65962.5*

***Threshold 4.9.4: Would the Development Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

The government records database search, completed as part of the Phase I ESA, determined that the Development Site is not included on any of the queried databases of hazardous materials sites that could create a significant hazard to the public or the environment. The Phase I ESA included an analysis of surrounding properties within a 1.0-mile radius of the Development Site. The Phase I ESA identified several listings for off-site adjacent or nearby properties on databases potentially indicative of a contamination concern. However, the Phase I ESA concluded that none of the environmental records are considered "recognized environmental conditions" for the Development Site. Therefore, impacts related to hazardous materials sites would be ***less than significant***.

**Level of Significance Prior to Mitigation:** Less Than Significant Impact.

**Regulatory Compliance Measures and Mitigation Measures:** No Regulatory Compliance Measures or Mitigation Measures are required.

**Level of Significance After Mitigation:** Less Than Significant Impact.

#### *4.9.6.5 Safety Hazard to an Airport Land Use Plan*

***Threshold 4.9.5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the project area?***

The Development Site is located approximately 3.3 miles west of the Banning Municipal Airport. The Banning Municipal Airport includes one runway and associated taxiways, ramp space, and hangars. According to the Riverside County Airport Land Use Compatibility Plan (ALUCP), the Development Project is not within the noise contours or compatibility zones for the Banning Municipal Airport. The Riverside County Airport Land Use Commission (ALUC) has stated the Project is located outside the Airport Influence Area (AIA) established for Banning Municipal Airport and that the ALUC has no comments regarding the Development Project. Due to its location outside the AIA established for Banning Municipal Airport, the Development Project would have ***no impact*** on an airport land use plan or result in a safety hazard for people residing or working in the Development Project area.

**Level of Significance Prior to Mitigation:** No impact.

**Regulatory Compliance Measures and Mitigation Measures:** No Regulatory Compliance Measures or Mitigation Measures are required.

**Level of Significance After Mitigation:** No impact.

#### *4.9.6.6 Emergency Response Plan or Emergency Evacuation Plan Interference*

***Threshold 4.9.6: Would the Development Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

According to the City's General Plan Emergency Preparedness Element, the City does not have established evacuation routes for major emergencies such as wildfire. The closest Fire Hazard Severity Zone to the Development Site is undeveloped land located approximately 0.5 mile southwest of the Development Site at the southern border of the Sun Lakes community. The land uses directly adjacent to the Development Site including residential uses to the west, east, and south, commercial and institutional uses to the east, the I-10 corridor to the north, and agricultural uses to the south are also designated as a non-VHFHSZ. Sunset Avenue is considered an important point of access to I-10. The City's Emergency Operations Plan outlines the operations of the City of Banning Emergency Operations Center, which is the central management entity responsible for directing and coordinating the various City departments and other agencies in their emergency response activities. Implementation of the Development Project would not alter any facility or propose a physical change that would inhibit the City's Emergency Operations Plan. In addition, development of the Development Project would include widening of roadways adjacent to the Development Site and funding of additional roadway improvements, which could aid in evacuation. Site preparation, grading, and construction would not block roadways providing access to surrounding properties or surrounding neighborhoods. Therefore, implementation of the Development Project would not

interfere with the adopted emergency response plan and/or the emergency evacuation plan, and a ***less than significant impact*** would occur. For additional information regarding the Development Site's fire severity designation, emergency access, and evacuation routes and access to I-10, refer to **Section 4.20** of this EIR.

**Level of Significance Prior to Mitigation:** Less Than Significant Impact.

**Regulatory Compliance Measures and Mitigation Measures:** No Regulatory Compliance Measures or Mitigation Measures are required.

**Level of Significance After Mitigation:** Less Than Significant Impact.

#### *4.9.6.7 Impacts from Wildfires*

***Threshold 4.9.7: Would the Development Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

As described in **Section 4.20** of this EIR, a Fire Protection Plan (FPP) was prepared for the Development Project. The FPP did not find evidence that the Development Site has been burned in recorded history. In addition, as discussed below, development of the Development Project and its included fire mitigation strategies would further reduce the potential for wildland fire ignition at the Development Site. Nonetheless, the FPP found, based on an analysis of the CalFire Fire and Resource Assessment Program (FRAP) fire history data set, that the average interval between wildfires within 5 miles of the Development Site was calculated to be less than 1 year, with intervals ranging between 0 and 6 years. As with other areas in and near the City of Banning, the risk of exposure of people or structures to wildfire, either directly or indirectly, therefore remains present.

As discussed in **Section 4.9.2.2** above, the Northern Portion of the Development Site is located within the LRA, in this case the City of Banning. The SOI is within the SRA. While the Development Site is located in a WUI setting, it is not located in an area statutorily designated as a Moderate, High, or Very High FHSZ by CAL FIRE or Riverside County; rather the Development Site is accurately designated as LRA Non-VHFHSZ. Adjacent lands in the LRA north, northeast, and west of the Development Site are also designated non-VHFHSZ. Within the SRA, the Southern Portion of the Development Site is designated non-FHSZ. Lands south and southeast of the Development Site in the SRA are designated as High and Very High FHSZ in an SRA.[8] The nearest FHSZ to the Development Site is undeveloped land approximately 0.5 mile southwest of the Development Site along the southern border to the Sun Lakes community.

The most common type of wildfire anticipated in the vicinity of the Development Project is a wind-driven fire from the northeast moving through the annual grasses and chaparral typical of the region. **RCM FIRE-1**, provided in **Section 4.20** of this EIR, would require approval of the FPP showing compliance with the regulations of the most recently adopted Riverside County Fire Department Fire Code, California Fire Code (CFC), and California Building Code (CBC) to avoid potential impacts from the Development Project's potential to exacerbate wildfire risks. Compliance with these regulatory measures would ensure the ignition resistance of the structures, and that fuel modification requirements and ongoing maintenance of the site landscaped areas are implemented with the result

8 Dudek. 2023. *Fire Protection Plan, Sunset Crossroads, County of Riverside, California,* Figure 1A. November.

that projected flame lengths would be reduced to levels that would be manageable by firefighting resources for protecting on-site structures. Similarly, the FPP analyzed the likelihood that any fire starting on the Development Site would spread to adjacent areas and determined that the Development Site's managed landscapes ignition resistant building, parking areas, fuel modification zones, improved accessibility for fire personnel, and structures built to the latest ignition and ember resistant fire codes would make spread into wildland fuels unlikely. Therefore, with adherence to the regulatory standards included in **RCM FIRE-1**, impacts related to the Development Project exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires would be ***less than significant***.

**Level of Significance Prior to Mitigation:** Less Than Significant Impact.

**Regulatory Compliance Measures and Mitigation Measures:** The following Condition of Approval is an existing regulation that is applicable to the Development Project and is considered in the analysis of potential impacts related to hazardous materials. The City of Banning considers these requirements to be mandatory; therefore, they are not mitigation measures.

**RCM FIRE-1** The proposed Development Project shall adhere to the Site-specific Fire Protection Plan and Fuel Modification Plan and implement the specific measures in both documents. The following measures (not limited to) shall be implemented to reduce impacts associated with wildfires:

- Project buildings shall be constructed of ignition-resistant construction materials and include automatic fire sprinkler systems based on the latest adopted Building and Fire Codes for occupancy types.[9]

- Fuel modification shall be provided around the perimeter of the structures on site, and will typically be 100 feet wide, though there are a few areas that are less as detailed herein. In areas where 100 feet of fuel modification cannot be achieved, exterior building construction will be further enhanced to provide a 1-hour to 2-hour rated exterior wall with no openings, or with fire rated and protected door openings, based on requirements and approval of the Riverside County Fire Department, and/or a non-combustible wall at the top of slope may be incorporated as a fire protection feature. In addition, an extended fuel modification width will be provided around many structures due to the hardscape landscape design. Ongoing maintenance shall be managed by owners, the property management company, or another approved entity, at least annually or as needed.

- Landscape plantings shall not utilize prohibited plants that have been found to be highly flammable.

[9] A type of building material that resists ignition or sustained flaming combustion sufficiently to reduce losses from wildland-urban interface conflagrations under worst-case weather and fuel conditions with wildfire exposure of burning embers and small flames, as prescribed in CBC, Chapter 7A and State Fire Marshal Standard 12-7A-5, Ignition-Resistant Materials.

- Fire apparatus access roads (i.e., public and private streets) shall be provided throughout the development and shall vary in width and configuration but shall all provide at least the minimum required unobstructed travel lanes, lengths, turnouts, turnarounds, and clearances required by applicable codes. Primary access and internal circulation shall comply with the requirements of the Riverside County Fire Department (RCFD).

- Buildings shall be equipped with automatic commercial fire sprinkler systems meeting RCFD requirements.

- Water capacity and delivery for a reliable water source shall be provided for operations and during emergencies requiring extended fire flow.

- The property owners or property management company shall provide business owners informational brochures at time of occupancy, which shall include an outreach and educational role to ensure fire safety measures detailed in the FPP have been implemented, and prepare development-wide "Ready, Set, Go!" plans. The Development Project has also developed a fire evacuation plan for timely and safe evacuation of employees and patrons in the event of a fire. This plan would be provided to the business owners at the time of occupancy.

**Level of Significance After Mitigation:** Less Than Significant Impact.

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