



1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that local government agencies, before taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An Environmental Impact Report (EIR) is a document that provides the public and local and State governmental agency decision-makers an analysis of potential environmental consequences of a project to support informed decision-making.

This EIR has been prepared by the City of Banning (City) to evaluate environmental impacts associated with implementation of the Sunset Crossroads Specific Plan (Specific Plan) and associated actions and entitlements (individually known as the “Development Project” and Mt. San Jacinto College “[MSJC] Entitlements” and collectively as the “Project”); to discuss alternatives; and to propose mitigation measures that will minimize, offset, or otherwise reduce or avoid the identified potentially significant impacts. Data for this EIR were obtained from on-site field observations; discussion with affected agencies; review of adopted plans and policies; review of available studies, reports, and data; and specialized environmental assessments prepared for the Development Project (e.g., air quality, noise, and transportation).

This EIR has been prepared pursuant to the requirements of CEQA and the *CEQA Guidelines*. The City is the Lead Agency, and as such, has reviewed all submitted drafts, technical studies, and reports for consistency with applicable regulations and policies and has commissioned the preparation of this EIR to reflect its own independent judgment. The EIR has been prepared in accordance with CEQA (as amended) (Public Resources Code Sections 21000-21189.57) and the *CEQA Guidelines* (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387). Under *CEQA Guidelines* Section 15121:

- An EIR is an informational document which will inform public agency decisionmakers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency.
- While the information in the EIR does not control the agency’s ultimate discretion on the project, the agency must respond to each significant effect identified in the EIR by making findings under Section 15091 and if necessary by making a statement of overriding consideration under Section 15093.
- The information in an EIR may constitute substantial evidence in the record to support the agency’s action on the project if its decision is later challenged in court. Under *CEQA Guidelines* Section 15123, this Executive Summary describes the Development Project, potentially significant impacts that could result from its implementation, and required avoidance, minimization and mitigation measures.



The reader should review, but not rely exclusively on the Executive Summary as the sole basis for judgment of the Project and alternatives. The complete EIR should be consulted for specific information about the potential environmental effects and mitigation measures to address those effects.

The Executive Summary is intended to highlight the major areas of importance in the environmental analysis for the Development Project as required by *CEQA Guidelines* Section 15123. The Executive Summary includes a brief description of the Project, areas of controversy known to the City, including issues raised by agencies and the public, a summary of the significant unavoidable impacts of the Project, and a summary of alternatives evaluated in the EIR. This Executive Summary also provides a table summarizing (1) the potential environmental impacts that would occur as a result of Project construction and operation; (2) the level of significance prior to implementation of mitigation measures; (3) regulatory compliance measures and mitigation measures that avoid or reduce the significant impacts of the Project, and (4) the level of significance after mitigation measures are implemented.

Lead Agency Contact: Adam B. Rush, M.A., AICP, Director
City of Banning Community Development Department
99 E. Ramsey Street
Banning, California 92220
Direct: (951) 922-3131 | Fax: (951) 922-3128
arush@banningca.gov

1.2 ENVIRONMENTAL PROCEDURES

This EIR has been prepared for the City of Banning (City), acting as the Lead Agency under *CEQA Guidelines* Sections 15050 and 15367, to analyze the potential environmental effects associated with implementation of the Sunset Crossroads Specific Plan project (Development Project) located in Banning, California. An EIR is a public informational document used in the planning and decision-making process. The purpose of the EIR is to demonstrate that the City has made a good faith effort at disclosing the potential for the project to result in significant impacts to the physical environment. As such, the EIR does not consider potential fiscal impacts, cost-benefit assessment, or social impacts. Nor does the EIR present recommendations to the decision-making bodies for approval or denial of the project based on the environmental findings. Rather, the EIR is intended to provide additional information about the project when, if, and at which time it is reviewed and considered by the City in its discretionary decision-making.

The City of Banning Planning Commission and City Council will consider the information in the EIR, public and agency comments on the EIR, and testimony at public hearings in their decision-making process. The public review comments will be incorporated and addressed in the Final EIR. As a legislative action, the final decision to approve, conditionally approve, or deny the proposed project is made by the City Council. The purpose of an EIR is to identify:

- Significant impacts of the proposed project on the environment and indicate the manner in which those significant impacts can be avoided or mitigated.



- Any unavoidable adverse impacts that cannot be mitigated.
- Reasonable and feasible alternatives to the proposed project that would eliminate any significant adverse environmental impacts or reduce the impacts to a less than significant level.

An EIR also discloses cumulative impacts, growth-inducing impacts, and impacts found not to be significant. CEQA requires that an EIR reflect the independent judgment of the lead agency regarding the impacts, disclose the level of significance of the impacts both without and with mitigation, and discuss the mitigation measures proposed to reduce the impacts. The EIR is circulated to the public and other agencies that may have jurisdiction over affected lands or resources, such as the California Department of Fish and Wildlife and the County of Riverside. The purposes of public and agency review of a EIR include sharing expertise, disclosing agency analyses, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals.

An EIR is one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a proposed project, the lead agency must consider the information in the EIR; determine whether the EIR was prepared in accordance with CEQA and the *CEQA Guidelines*; determine that it reflects the independent judgment of the lead agency; adopt findings concerning the project's significant environmental impacts and alternatives; and adopt a statement of overriding considerations if significant impacts cannot be avoided.

This EIR is being distributed to agencies, organizations, and interested groups and persons for a 45-day review period in accordance with *CEQA Guidelines* Section 15087. All written comments received during the review period will be considered and responded to in writing by the City prior to any action being taken on the project.

1.2.1 EIR Format

The purpose of this EIR is to provide environmental review of the Project, such that the City will be able to utilize this EIR to satisfy CEQA for Project-related permits or approvals and to provide CEQA analysis. This EIR is organized into 10 chapters:

- **Chapter 1.0 Executive Summary** provides a summary of the Project; identifies potentially significant impacts, mitigation measures, and the level of significance of each impact following mitigation; and provides a description of Project alternatives.
- **Chapter 2.0 Introduction and Purpose** outlines the EIR document's format, including technical appendices; describes the purpose of the EIR, including the legal purpose of CEQA, the intended use of an EIR, and the EIR's incorporated documents and referenced technical reports; summarizes the public review of the EIR to date; identifies environmental issues that are discussed; and defines the cumulative analysis provided in the EIR.
- **Chapter 3.0 Project Description** details the geographical setting, Project location, Project setting, applicable land use and zoning designations, Project characteristics, Project objectives, and discretionary actions required to implement the proposed Project.



- **Chapter 4.0 Development Project Impact Analysis** provides a discussion of the existing conditions for each of the environmental impact areas. This chapter also describes methodologies for significance determinations, identifies both short-term and long-term environmental impacts of the Development Project, recommends mitigation measures to reduce the significance of environmental impacts, and identifies any areas of potentially significant and unavoidable impacts. **Chapter 4.0** is divided into subsections (4.1 through 4.20) discussing the following environmental resource topics:
 - Aesthetics
 - Agriculture
 - Air Quality
 - Biological Resources
 - Cultural Resources
 - Energy
 - Geology and Soils
 - Greenhouse Gas Emissions
 - Hazards and Hazardous Materials
 - Hydrology and Water Quality
 - Land Use and Planning
 - Mineral Resources
 - Noise
 - Population and Housing
 - Public Services
 - Recreation
 - Transportation and Traffic
 - Tribal Cultural Resources
 - Utilities and Service Systems
 - Wildfire
- **Chapter 5.0 MSJC Programmatic Analysis** provides a programmatic analysis of the environmental impacts of the MSJC Entitlements that arise as a result of the City's application of State law requiring no net loss of residential capacity when the Development Site is rezoned from residential to industrial, commercial, and open space uses.
- **Chapter 6.0 Cumulative Impacts** addresses the cumulative impacts of the Project analyzed in **Chapter 4.0** and **Chapter 5.0** of this EIR.
- **Chapter 7.0 Other CEQA Considerations** contains discussions of additional topics required by CEQA, including effects found to be significant and unavoidable, and irreversible environmental changes caused by the Project.
- **Chapter 8.0 Alternatives** contains discussions of alternatives to development of the proposed Project. As allowed by CEQA, the impacts of these alternatives are evaluated at a more general level than the analyses of the proposed Project contained in **Chapters 4.0 and 5.0**. This chapter also evaluates the proposed effects of the No Project Alternative and identifies the environmentally superior alternative.
- **Chapter 9.0 List of Preparers** identifies City and Consultant staff who participated in the preparation and review of the EIR.
- **Chapter 10.0 References** identifies the references used in the preparation of the EIR, the persons contacted, and the other source material.

Based on significance criteria, the effects of the Project have been categorized as either "less than significant," "less than significant with mitigation," or "potentially significant." Mitigation measures are recommended for potentially significant impacts, to avoid or reduce impacts. In the event the



Project results in significant impacts even after implementation of all feasible mitigation measures, the decision-makers would be able to approve the Project based on a Statement of Overriding Considerations. This determination would require the decision-makers to provide a discussion of how the benefits of the Project outweigh identified unavoidable impacts. The *CEQA Guidelines* provide in part the following:

- CEQA requires that the decision-maker balance the benefits of a project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the EIR but are not mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the *CEQA Guidelines*.
- If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the *CEQA Guidelines*).

1.3 PROJECT LOCATION

The approximately 533.8-acre Development Site is located partly within the City of Banning (City) and in part in the City’s sphere of influence (SOI) in unincorporated Riverside County (County). The City lies within the San Gorgonio Pass area, an east-west trending valley situated between the San Bernardino and San Jacinto Mountains. The City straddles Interstate 10 (I-10); a regionally and nationally important east-west transportation facility that connects the City to the greater Los Angeles area, including the Ports of Los Angeles and Long Beach, and to other major metropolitan areas to the east. Regional connectivity is further provided by interchanges on I-10 connecting to State Routes (SR) 60, 62, 111, and 243. Banning Municipal Airport is located approximately 3 miles east of the Development Site.

The MSJC Site is a 49.2-acre site located in the City at the southeast corner of Sunset Avenue and Westward Avenue. Approximately 8.3 acres of the MSJC Site are currently developed with MSJC campus uses.

The Project location (Development Site and MSJC Site) is shown on **Figure 3-2: Project Location** in **Chapter 3.0**.

1.4 PROJECT SUMMARY

NP Banning Industrial, LLC (Project Applicant), proposes to develop a 533.8-acre property (Development Site) located partly within the City of Banning (City) and in part in the City’s sphere of influence (SOI) in unincorporated Riverside County (County). The northerly portion of the Development Site is approximately 280.1 acres (Northern Portion of the Development Site) and is



located in the City, while the southerly portion of the Development Site (Southern Portion of the Development Site) is approximately 253.7 acres within the City's SOI.

The Sunset Crossroads Specific Plan is proposed to establish zoning regulations for commercial and industrial uses on the Development Site, including, but not limited to, allowed uses, intensity of use, building heights, setbacks, lot area and dimensions, parking, landscaping, signage, as well as to identify on-site circulation and infrastructure improvements necessary to support the Development Project. Implementation of the Specific Plan (referred to as the Development Project¹) would result in a total of 5,903,400 square feet of commercial and industrial uses within 19 Planning Areas as shown in **Table 1.A: Specific Plan Land Use Summary**.

The Specific Plan identifies 2.3 acres of land within Planning Area 12 for future siting of a reverse osmosis facility that the City proposes to develop, own, maintain and operate in order to reduce salt and nitrogen in the water prior to recharge of the aquifer.

An approximately 1-acre area within the Development Site has been identified by Banning Electric Utility (BEU) as a potential site for development of an electric substation. Although there is sufficient capacity in BEU's existing electrical system to provide for initial construction of the Development Project, this substation would expand electrical capacity in the City to accommodate planned buildout including the Development Project. BEU is separately entitling and will develop, own, maintain and operate, the future substation. Accordingly, the electrical substation is considered as a related project in this EIR. In addition, at City request, the Specific Plan allows for a future fire station use in Planning Area 12. However, because neither the City nor the Riverside County Fire Department has considered nor identified a need for a station at this location, there is no current plan for development of a fire station and, if desired, the planning, design, and construction of any fire station would occur at an undetermined future date by the City and Riverside County Fire Department. Accordingly, development of a fire station at the Development Site is allowed but is considered speculative and is not analyzed in this EIR.

Development Project entitlements include a General Plan Amendment to change residential land use designations within the City, rezoning (and pre-zoning, for portions of the Development Site in the City's SOI) and adoption of a Specific Plan, subdivision maps and a Pre-Annexation and Development Agreement by the City. In addition, the Project Applicant will seek to have the Southern Portion of the Development Site annexed into the City of Banning through an action by the Riverside County Local Agency Formation Commission (LAFCO).

¹ "Development Project" is defined as "The Sunset Crossroads Specific Plan Project proposed for the Development Site and Development Project Entitlements," as further described in the project-level component of this EIR.



Table 1.A: Specific Plan Land Use Summary

Planning Area	Land Use Description	Development	Maximum Building Square Footage	Acres
1	General Commercial	Commercial uses; Travel Center Retail Uses; Hotel with maximum 125 keys (approximately 90,000 sf); and Fueling Facility (each detailed below in the Commercial subheading).	268,400 sf	47.9
SUBTOTAL: COMMERCIAL DEVELOPMENT			up to 268,400 sf plus 125-room hotel¹ plus Fueling Facility	47.9
2	Industrial	Building 5 Building 6	up to 326,000 sf up to 152,000 sf	33.8
3	Industrial	Building 4	up to 44,000 sf	7.8
4	Industrial	Building 1 Building 2 Building 3	up to 1,420,000 sf up to 1,386,000 sf up to 575,000 sf	194.3
5	Industrial	Building 7	up to 896,000 sf	66.3
6	Industrial	Building 8	up to 250,000 sf	28.1
7	Industrial	Building 9	up to 274,000 sf	25.8 ^{1,2}
8	Industrial	Trailer parking/storage	Trailer Parking/Storage	16.2
9	Industrial	Trailer/RV storage	Trailer and/or RV Storage	3.3
10	Industrial	Building 10	up to 222,000 sf	16.4
SUBTOTAL: INDUSTRIAL DEVELOPMENT³			up to 5.545 million sf	392.0
DEVELOPMENT SUBTOTAL			up to 5.8134 million sf	439.9
11	Open Space-Park	Planning Area 11 includes approximately 5.0 acres of passive park uses. The balance of the Planning Area will be retained as passive open space.		12.6
12	Open Space-Resource	Passive Open Space, which may include trails. Planning Area 12 includes 2.3 acres for the City's Reverse Osmosis Facility.		12.5
13	Open Space-Resource	Planning Areas 13-19 accommodate existing natural drainages within the Development Site, with potential for construction of roadway and utility crossings at Lincoln Street.		7.5
14	Open Space-Resource		7.1	
15	Open Space-Resource		6.0	
16	Open Space-Resource		4.8	
17	Open Space-Resource		4.1	
18	Open Space-Resource		3.3	
19	Open Space-Resource		7.7	
SUBTOTAL: OPEN SPACE				65.6
Street Dedication/Circulation				28.3
			TOTAL	533.8⁴

Source: T&B Planning, Inc. *Sunset Crossroads Specific Plan No. 20-20000002*, City of Banning, Third Screencheck Draft, June 2023.

- ¹ Planning Area 1 is anticipated to include a 125-room limited-service hotel (approximately 90,000 square feet). The 90,000 square feet of hotel use is not counted as part of the General Commercial's 268,400 Building Square Footage because the project's traffic analysis for the commercial site estimates traffic based on square footage, while the traffic analysis for hotels is based on the number of rooms. With the hotel's approximately 90,000 square feet, the approximate total square footage in Planning Area 1 would be approximately 358,400 square feet. Building Square Footage is defined as follows: Total square footage of all floors in structure as measured from either the interior surface of each exterior wall of the structure or, if the structure does not have walls, from each outer edge of the roof. Exterior areas may constitute gross floor area.
- ² The western portion of Planning Area 7 would be retained as open space, buffering uses west of the Development Site.
- ³ Per the Specific Plan, in the Industrial Planning Areas the building square footage in each Planning Area may increase/decrease in each Planning Area by up to 20 percent, but the total square footage may not exceed 5.545 million sf. The Development Project would include up to approximately 307,000 square feet of general light industrial and approximately 330,000 square feet of cold storage uses.
- ⁴ The future extension of Sun Lakes Boulevard (21.0 acres) and existing City-owned well sites (0.8 acre) are Not a Part (NAP) of the Development Project.



1.4.1 MSJC Entitlements

The City has determined that adoption of a general plan amendment and rezoning for the Development Project would result in the reduction of the City's residential capacity by a maximum of 1,146 units. State law, set forth in Government Code Section 66300 et seq., requires that the City identify and rezone other land in the City to ensure no net loss of residential capacity.² The City has identified an approximately 49.2-acre site located adjacent to the Development Site, east of Sunset Avenue and south of Westward Avenue (MSJC Site), that is owned by the Mt. San Jacinto Community College District (MSJCCD),³ for that purpose. A portion of the MSJC Site houses the existing MSJCCD San Geronio Campus. To avoid a net loss to the City's residential capacity that would result if the Development Project, as described in **Chapter 3.0** of this EIR, is approved, the City has initiated an application to concurrently amend the general plan land use designation, change the zoning classification, and establish a Specific Plan Zoning Overlay (SPZO) ("Overlay") for the MSJC Site with the MSJC Entitlements, defined below, creating capacity for up to 1,181 units at the MSJC Site⁴. The number of units described is a maximum number of units that could be developed on the sites and is considered conservative in that developments typically do not achieve maximum density due to a variety of factors, including topography and infrastructure requirements. This EIR evaluates the environmental impacts of the MSJC Entitlements at a programmatic level. The MSJC Entitlements avoid the net loss of residential capacity and would not result in an increase in capacity or number of residential units in the City. Therefore, the MSJC Entitlements are consistent with existing City planning documents and baseline with only the location of the use changing.

The MSJC Entitlements are comprised of (1) a General Plan Land Use Amendment (GPA) and (2) a change to the Official Zoning Map (ZC) on the MSJC Site to change the land use designation and zoning from PF-S (Public Facilities-Schools) to VHDR (Very High Density Residential), with a density range of 18-24 dwelling units per acre (18-24 DU/AC).⁵ The City's VHDR land use designation authorizes condominiums and townhomes, as well as apartments with the provision of common area amenities and open space. The clustering of condominiums and townhomes is appropriate with the provision of common area amenities and open space. To ensure that the college facilities and any future residential development are compatible, and to provide for the clustering allowed by the City's Municipal Code, the City will establish by ordinance a specific plan overlay (Overlay) coterminous with the MSJC Site boundary. The Overlay would require preparation and adoption of a Specific Plan, pursuant to Chapter 17.96 of the Banning Municipal Code (BMC) prior to development of VHDR residential uses on the MSJC Site. The SPZO would allow for the permitting of one single-family residential (SFR) dwelling unit per legal parcel within the MSJC Site.

While the adoption of the MSJC Entitlements would rezone the MSJC Site to allow very high density residential uses, no residential development is envisioned at this time. Further, no residential development application has been filed or is contemplated for the MSJC Site. The Overlay would ensure the MSJC Site be developed in a cohesive manner, account for the provision of adequate public

² Government Code Section 66300 et seq. imposes a requirement that a City's no net loss of residential capacity as a result of rezoning, as measured against the city's residential capacity in January 2018, must be concurrently rectified by rezoning of other property in the city for residential purposes to make up the capacity deficiency.

³ Section 17, Township 3 south, Range 1 East, SBBM.

⁴ Under State Law, the MSJCCD may continue to develop the site with school facilities (as it would not be subject to local zoning) in addition to the residential uses for which the property would be rezoned.

⁵ General Plan Amendment 22-2502 and Zone Change 22-3502.



infrastructure (i.e., roads, storm drain, electricity, sewer, potable and recycled water availability), and would provide the opportunity for clustering of residential development, to provide for a mixed-use school facility and residential development on the property. Refer to **Section 3.5.6.1** in **Section 3.0** of this EIR for further discussion of the proposed entitlements.

As no specific development project has been identified for the MSJC Site and no Specific Plan is currently proposed, the City has determined that a programmatic evaluation of the MSJC Entitlements is appropriate⁶. Refer to **Chapter 5.0** of this EIR for further information regarding the MSJC Entitlements.

1.5 POTENTIAL AREAS OF CONTROVERSY

Pursuant to *CEQA Guidelines* Section 15123, this EIR acknowledges the areas of controversy and issues to be resolved that are known to the City or were raised during the scoping process. The City held a virtual public scoping meeting on February 18, 2021, to present the Development Project and to solicit input from interested parties regarding environmental issues that should be addressed in this EIR. The material environmental issues and concerns raised in response to the NOP or at the scoping meeting included:

- Air Quality
- Biological Resources
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Population and Housing
- Recreation
- Tribal Cultural Resources

Please note that this is not an exhaustive list of areas of controversy, but rather key issues that were raised during the scoping process. This EIR addresses each of these areas of concern or controversy, examines Development Project-related and cumulative environmental impacts, identifies significant adverse environmental impacts, and proposes mitigation measures and/or alternatives designed to reduce or eliminate potentially significant impacts. Appendix A-1 to this EIR includes the NOP prepared for the Development Project. Copies of written comments received in response to the NOP and comments received at the virtual Public Scoping Meeting are included in Appendix A-2.

1.6 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

1.6.1 Significant Unavoidable Impacts

Section 15126.2(b) of the *CEQA Guidelines* requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. Six (6) significant unavoidable adverse impacts were identified in this EIR:

⁶ This action does not contemplate development of the MSJC Site by the time of Development Project buildout (2027) but recognizes that development may occur sometime in the future. In order to consider the potential that the use may occur, the cumulative Project analysis includes development of the residential uses in the assessment of 2045 conditions.



- **Threshold 4.3-1:** Would the Development Project conflict with or obstruct implementation of the applicable air quality plan?
- **Threshold 4.3-2:** Would the Development Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- **Threshold 4.8-1:** Would the Development Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- **Threshold 4.8-2:** Would the Development Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
- **Threshold 4.13-1:** Would the Development Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- **Threshold 4.17-2:** Would the Development Project conflict or be inconsistent with *CEQA Guidelines* §15064.3, subdivision (b)?

1.7 ALTERNATIVES

Public Resources Code (PRC) Section 21100 and *CEQA Guidelines* Section 15126 require an EIR to identify and discuss a No Project Alternative and a reasonable range of alternatives to the proposed Project that would feasibly attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant environmental impacts. **Chapter 8.0** of this EIR identifies four (4) alternatives to the Development Project in addition to six (6) alternatives that were considered but were eliminated from further consideration. The alternatives considered in this EIR include the Development Project, Development Project – Reduced Commercial, Development Project – Reduced Industrial, No Project/Existing General Plan and Zoning, and the No Project/No Build Alternative.

Based on the goal of analyzing feasible alternatives that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen any of the Project’s potentially significant impacts, the following four alternatives to the Project were selected for analysis:

- **Alternative 1: No Project/No Build.** This alternative assumes that the Development Site would remain in its current, undeveloped condition. The MSJC Site would also not be rezoned for residential development. Refer to **Section 8.3** of this EIR for a complete description and evaluation of this alternative.
- **Alternative 2: No Project/Existing General Plan and Zoning.** This alternative assumes that the Development Site would remain undeveloped in the short term, but that future development could occur pursuant to existing City commercial and residential and County residential land use and zoning standards. Total residential development under this alternative would be comprised of 1,630 units. Similar to the Project, an approximately 90,000-square-foot hotel with 125 rooms,



a 7,500-square-foot travel center, and 260,900 square feet of commercial/retail uses could also be developed on the Development Site. As there would be no net loss in residential capacity under this Alternative, the MSJC Site would also not be rezoned for residential development. Refer to **Section 8.4** of this EIR for a complete description and evaluation of this alternative.

- **Alternative 3: Reduced Commercial Alternative.** This alternative assumes that the annexation of the Southern Portion of the Development Site proceeds and that the Development Project proceeds with the following changes: Commercial uses are removed from the Development Project with the exception of the hotel (approximately 90,000 square feet and 125 rooms) and travel center (7,500 square feet), resulting in removal of 260,900 square feet of commercial development. The area identified currently for those commercial uses in the Northern Portion of the Development Site would be replaced with 260,900 square feet of 'warehousing' uses (ITE LU 150). Other industrial uses will remain the same throughout the Development Site (same location, size, use, and ITE rates). In total, development under this alternative includes 5,805,900 square feet of industrial uses. As with the Project, to avoid net loss in residential capacity, the MSJC Site would be rezoned to allow development of up to 1,181 residential units. Refer to **Section 8.5** of this EIR for a complete description and evaluation of this alternative.
- **Alternative 4: Reduced Industrial Alternative.** This alternative assumes that the annexation of the Southern Portion of the Development Site proceeds and that the Development Project proceeds with no changes to the commercial component of the Development Project and the following changes to the industrial component: this alternative eliminates Building 9 (274,000 square feet of warehousing uses) and foregoes the extension of Lincoln Street over the Smith Creek drainage. Additionally, this alternative replaces the warehousing and general light industrial uses in Buildings 5 and 6 with a single building containing 330,000 square feet of high-cube cold storage warehouse use. These changes result in a reduction of 422,000 square feet of industrial use and total industrial development of up to 5,123,000 square feet of industrial uses. This alternative does not require the extension of Lincoln Street beyond Planning Area 6, results in one less drainage crossing at Lincoln Street, and eliminates fire access to Highland Home Road at the Northern Portion of the Development Site as well as eliminating the buildout of Highland Home Road north of Sun Lakes Boulevard. Similar to the Development Project, the MSJC Site would be rezoned to allow development of up to 1,181 residential units. Refer to **Section 8.6** of this EIR for a complete description and evaluation of this alternative.

As stated, the four alternatives identified above are discussed in greater detail in **Sections 8.3 through 8.6** of this EIR. The purpose of this discussion of alternatives is to enable decision-makers to consider how alternatives to the Project may substantially lessen or avoid the Project's impacts on the physical environment.

The MSJC Entitlements are included in the Project analysis only as a result of the proposed rezoning of the Development Site from residential to non-residential use and the State law requirement that the City rezone in another location to avoid a net loss of residential capacity. Because both Alternative 1 and Alternative 2 do not result in rezoning of the Northern Portion of the Development Site from residential to non-residential use, the MSJC Entitlements would not be adopted. Under these alternatives, it is anticipated that the MSJC Site would retain its public facilities designation and would



be developed, if at all, with school facility uses that are not contemplated at this time. As any future development of the MSJC Site for school purposes would be speculative, no future development of educational or other facilities is contemplated for the MSJC Site under Alternatives 1 and 2. Under Alternatives 3 and 4, rezoning either at the MSJC Site or in another location identified by the City would be required. Because State law requires no net loss of residential units, no reduction in the residential unit count at the MSJC Site is contemplated in Alternatives 3 or 4. The infeasibility of alternative locations for this new residential zoning is discussed in **Section 8.2.1** of this EIR. In addition, for Alternatives 3 and 4, development of a battery energy storage system within industrially zoned areas of the Development Site is also contemplated.

As is the case with the Development Project, all of the alternatives assume that the City would proceed independently to construct the Sun Lakes Boulevard Extension as it is an identified Arterial Highway under the City's existing Circulation Element for which the City is already processing entitlements, and the City has determined that its construction will be required whether or not the Project moves forward. In addition, each alternative assumes that the electrical substation, potable water reservoir, and bridge over Pershing Creek would also proceed independently of the Project as the construction of these public facilities is required by the City to meet its General Plan buildout goals and objectives and/or the objectives of the adjacent Rancho San Gorgonio (RSG) project.⁷

In the event City decision-makers were to decide to move forward with any of the alternatives identified in this chapter, additional site planning and design work and analysis would be required for the environmental impacts associated with the alternative, and specific mitigation measures for each potentially significant impact would need to be developed and considered. In addition, *CEQA Guidelines* Section 15126.6(c) requires an EIR to identify any alternatives considered for analysis but dismissed as infeasible. These rejected alternatives are described in **Section 8.2** in Chapter 8.0 Alternatives of this EIR.

1.7.1 Identification of the Environmentally Superior Alternative

The *CEQA Guidelines* (Section 15126.6[e][2]) state that if the environmentally superior alternative is the No Project Alternative, then the EIR must also identify an environmentally superior alternative among the other alternatives. For the reasons described in this EIR, the environmentally superior alternative is not the No Project Alternative. The Development Project would provide benefits that would not be realized under the No Project Alternative, including increased regional employment, reduced retail vehicle miles traveled (VMT), and reduced fire risk due to the maintained landscaping of the planned Development Project relative to the existing condition of the Development Site. Accordingly, the Alternative 4: Reduced Industrial is the environmentally superior alternative. Implementing the Alternative 4: Reduced Industrial would have adverse environmental impacts, but, overall, the Alternative 4: Reduced Industrial provides the environmentally superior alternative by best meeting environmental regulatory requirements and best minimizing impacts on the natural environment and communities. **Section 8.7** compares the impacts of each alternative with the

⁷ At the time of approval of the RSG project, the need for an additional potable water reservoir was identified to service City and RSG project needs. This location and design of this feature was not established at that time. Additionally, the RSG project identified a project need for a crossing of Sunset Avenue over Pershing Creek, the design of which had not been yet established at the time of approval of the RSG project.



impacts of the Project supporting the identification of Alternative 4 as the Environmentally Superior Alternative.

1.8 SUMMARY OF IMPACTS AND CONDITIONS OF APPROVAL/MITIGATION MEASURES

Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures identifies the potential Development Project environmental impacts, proposed conditions of approval or mitigation measures, and level of significance after mitigation is incorporated into the Development Project. In accordance with *CEQA Guidelines* Section 15126.4(a)(1)(D), if any mitigation measure would cause one or more significant effects in addition to those that would be caused by the Development Project, the effects of the mitigation measure shall be discussed. The identified mitigation measures are listed in **Table 1.B**. The identified mitigation measures for the MSJC Entitlement Programmatic Analysis are listed in **Table 1.C: MSJC Entitlements Programmatic Analysis Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures**. The regulations, requirements and policies listed in the mitigation measures have been evaluated during their respective adoptions or approval processes. No secondary effects related to the proposed mitigation measures are expected to occur.



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Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
AESTHETICS (EIR Section 4.1)			
Threshold 4.1-1: Would the Development Project have a substantial adverse effect on a scenic vista?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.1-2: Would the Development Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
Threshold 4.1-3: In non-urbanized areas, would the Development Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.1-4: Would the Development Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
AGRICULTURE AND FORESTRY RESOURCES (EIR Section 4.2)			
Threshold 4.2-1: Would the Development Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
Threshold 4.2-2: Would the Development Project conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.2-3: Would the Development Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
Threshold 4.2-4: Would the Development Project result in the loss of forest land or conversion of forestland to non-forest use?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
Threshold 4.2-5: Would the Development Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
AIR QUALITY (EIR Section 4.3)			
Threshold 4.3-1: Would the Development Project conflict with or obstruct implementation of the applicable air quality plan?	Significant	<p>MM AIR-1: During construction of the proposed Development Project, the Project contractor shall ensure all 50 horsepower or more off-road diesel-powered construction equipment is powered with California Air Resources Board (CARB) certified Tier 4 Final engines or the equivalent.</p> <p>MM AIR-2: The following multi-part mitigation measure shall be implemented during Project operation:</p> <ul style="list-style-type: none"> • Implement Mitigation Measures GHG-4, GHG-5, and GHG-6. • All facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site shall meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on site demonstrating compliance with this requirement and shall make records available for inspection by the City of Banning, SCAQMD, and State upon request. • All on-site cargo handling equipment including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment shall be electric with the necessary electrical plug-in charging included in the design of the Development Project electrical system, buildings, and equipment storage and parking areas. • Tenant lease agreements for the Development Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 5 minutes while on site. The idling restriction will be presented on signs at the entrance to the industrial portions of the Development Project as well as at loading docks and truck parking areas. • All facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. • Interior- and exterior-facing signs, including signs directed at all dock and delivery areas, shall be provided identifying idling restrictions and contact information to report violations to CARB, the air district, and the building manager. • At buildout of the industrial land uses a minimum of 50 Level 3 AC Class 8 electric vehicle (EV) truck chargers shall be installed at the tractor trailer parking spaces in logical locations to facilitate electric truck charging. • For the warehouse/industrial portions of the Development Project, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for installation of electric charging systems for electric trucks and power transport refrigeration units (TRUs). Conduit shall be installed from the electrical room to all tractor trailer parking spaces in logical locations on site to facilitate future electric truck charging. 	Significant and Unavoidable



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
		<ul style="list-style-type: none"> • At buildout, the Development Project shall include the higher value of either: <ul style="list-style-type: none"> ○ At least 350 Level 2 AC EV chargers; or ○ A percentage of total parking spaces with Level 2 AC EV chargers to comply with the minimum requirements of CCR, Title 24, Part 11: California Green Building Standards Code. • All truck/dock bays that serve cold storage facilities within the proposed buildings shall be electrified to facilitate plug-in capabilities and support use of electric standby and/or hybrid electric TRUs. • Prior to issuance of occupancy permits for the industrial/warehouse area, the Development Project operators employing 200 or more employees shall be required to establish and promote a rideshare program and prepare and submit a Transportation Demand Management Program detailing strategies that discourage single-occupancy vehicle trips by employees by increasing and providing financial incentives for alternate modes of transportation, including carpooling/vanpools, public transit, and biking. • Signs at every truck exit driveway shall be provided showing directional information to the truck route. • Every tenant shall be required to train staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Facility operators shall also be required to maintain records on site demonstrating compliance and make records available for inspection by the City of Banning, SCAQMD, and State upon request. • Tenants shall be required to enroll in the United States Environmental Protection Agency’s SmartWay program, and tenants shall be required to use carriers that are SmartWay carriers. • Industrial and commercial buildings within the Development Project shall be all electric unless the land use requires natural gas (i.e., restaurants, bakeries, dental and medical laboratories). • Tenants shall be provided with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets. 	
<p>Threshold 4.3-2: Would the Development Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	Significant	<p>MM AIR-1 MM AIR-2 RCM AQ-1 SCAQMD Rule 403. During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventative measures by using the following procedures, in compliance with South Coast Air Quality Management District (SCAQMD) Rule 403 during construction. The applicable Rule 403 measures are as follows:</p> <ul style="list-style-type: none"> • Apply nontoxic chemical soil stabilizers according to manufacturers’ specifications to all inactive construction areas (previously graded areas inactive for 10 days or more). • Water active sites at least twice daily (locations where grading is to occur shall be thoroughly watered prior to earthmoving). • Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet (0.6 meter) of freeboard (vertical space between the top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114. • Pave construction access roads at least 100 feet (30 meters) onto the site from the main road. • Reduce traffic speeds on all unpaved roads to 15 mph or less. <p>RCM AQ-2: All trucks that are to haul excavated or graded material shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.</p> <p>RCM AQ-3: Prior to approval of the Project plans and specifications, the City shall confirm that the construction bid packages specify:</p> <ul style="list-style-type: none"> • Contractors shall use high-volume low-pressure paint applicators with a minimum transfer efficiency of at least 50 percent; • Coatings and solvents that will be utilized have a volatile organic compound content lower than required under SCAQMD Rule 1113; and • To the extent feasible, construction/building materials shall be composed of pre-painted materials. <p>RCM AQ-4: The Project shall comply with SCAQMD Rule 402. Rule 402 prohibits the discharge of air contaminants or other material from any type of operations, which can cause nuisance or annoyance to any considerable number of people or to the public or which endangers the comfort or repose of any such persons, or the public.</p>	Significant and Unavoidable
<p>Threshold 4.3-3: Would the Development Project expose sensitive receptors to substantial pollutant concentrations?</p>	Less than Significant	<p>RCM AQ-1 RCM AQ-2 RCM AQ-3 RCM AQ-4</p>	Less than Significant
<p>Threshold 4.3-4: Would the Development Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</p>	Less than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
BIOLOGICAL RESOURCES (EIR Section 4.4)			
<p>Threshold 4.4-1: Would the Development Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	Significant	<p>MM BIO-1 Construction Guidelines. Construction activities will follow the Construction Guidelines found in Volume 1, Section 7.5.3 of the MSHCP.</p> <p>MM BIO-2 Equipment Staging. Equipment and vehicle storage, fueling, and material staging and storage will be in previously paved or previously disturbed, upland areas with no risk of direct drainage into riparian/riverine areas or other sensitive habitats. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into riparian/riverine areas. Secondary containment should be used under all motorized vehicles stored in the vicinity of the riparian/riverine areas (within 100 feet). Spill prevention kits shall be stored on-site in case of any type of hazardous materials spill. Development Project related spills of hazardous materials shall be reported to appropriate entities and shall be cleaned up immediately with contaminated soils removed to approved disposal areas.</p> <p>MM BIO-3 Worker Environmental Awareness Program (WEAP). A qualified biologist will present to each Development Site employee a worker environmental awareness training prior to the initiation of work. They will be advised of the riparian/riverine resources and any other sensitive environmental resources (such as burrowing owl and Los Angeles pocket mouse) in the Development Project area, the steps to avoid impacts to such, and the potential penalties for violating those steps. At a minimum, the program will include the following topics: occurrence of the sensitive biological resources in the Development Project area and their general ecology, sensitivity of such to human activities, legal protection afforded these species, penalties for violations, reporting requirements, and Development Project features designed to reduce the impact area. A sign-in sheet will be utilized to identify all workers that have completed the WEAP training. If additional employees are added to the Development Project after the initiation, they will receive instruction prior to working on the Development Project. They will also need to sign the sign-in sheet to provide proof of completion. For some projects with numerous contractors entering the project at different stages of the project, the WEAP training can be video-taped and shown to additional workers rather than completing the training in person.</p> <p>MM BIO-4 Materials and Spoils Control. Development Project materials will not be cast from the Development Site, and Development Project related debris, spoils, and trash will be contained daily and removed to a proper disposal facility.</p> <p>MM BIO-5 Vehicle Washing. It will be required in the Development Project specification that the contractor will wash equipment prior to entering the vicinity of areas to be conserved. This will reduce the potential for introduction of non-native plant, animal, viral, or bacterial species to the areas that will otherwise be undisturbed. All vehicles shall be washed at a distance that would remove the likelihood of run-off from entering any adjacent riverine/riparian areas.</p> <p>MM BIO-6 MSHCP Best Management Practices (BMPs). Development Project activities will be in compliance with BMPs, as applicable, detailed in MSHCP <i>Volume 1, Section 7.5.3</i>, and <i>Appendix C</i> of the MSHCP. The Project Determination of Biologically Equivalent or Superior Preservation (DBESP) would provide regulations consistent with the MSHCP BMPs, and the Development Project would comply with all DBESP regulations.</p> <p>MM BIO-7 Burrowing Owl Impacts. To avoid direct and indirect impacts to burrowing owl, a pre-construction survey shall be conducted in areas to be disturbed by a qualified biologist within 30 days prior to ground disturbance at the Development Site and submitted to the City. If construction activities occur during the breeding season (February 1 through August 31) and burrowing owl is determined to be present within any portion of the study area during the pre-construction survey, consultation with the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) shall take place, and no construction activity shall take place within a 300-foot buffer zone. This buffer area may be reduced at the discretion of the biological monitor in consultation with CDFW and/or USFWS, until it has been determined that the nest/burrow is no longer active and all juveniles have fledged the nest/burrow.</p> <p>To avoid active nests, no grading or heavy equipment activity shall take place in the buffer zone during the breeding season (February 1 through August 31). If construction activities cannot avoid the nesting season and an occupied burrow is identified in a proposed development area, the burrows shall be avoided or the owls passively relocated. A Burrowing Owl Protection and Relocation Plan will be required and is included under MM BIO-8.</p> <p>MM BIO-8 Burrowing Owl Protection and Relocation Plan. Within 90 days of the commencement of grading, a Burrowing Owl Protection and Relocation Plan would be drafted and reviewed by CDFW to ensure MSHCP guidelines for protection and/or relocation are followed. As part of that plan, one-way doors shall be installed as part of a passive relocation program. Burrowing owl burrows shall be hand-excavated by a qualified biologist when determined to be unoccupied and backfilled to ensure animals do not re-enter. Disturbance to active burrows shall be minimized to the extent feasible.</p> <p>If less than three pairs of burrowing owl are identified on the Development Site during pre-construction clearance surveys, no additional mitigation is required. If three or more pairs of burrowing owl are identified, MSHCP guidelines require additional conservation land be set aside to off-set the significant impacts to burrowing owl in a project site outside of a cell criteria area. In all scenarios, including the detection of additional burrowing owls, mitigation and equivalency will be achieved through the Development Project following all MSHCP guidelines and the direction of the Environmental Programs Department, Western Riverside County Regional Conservation Authority, and/or the Wildlife Agencies.</p> <p>MM BIO-9 Los Angeles Pocket Mouse. Prior to commencement of grading, nighttime trapping surveys will occur in areas within the known habitat and other areas providing the key constituent habitat elements based on historical surveys and those conducted for the Development Project, in riparian areas (the three identified drainage features) and adjacent upland habitat that will be permanently impacted by the Development Project. An exclusion fence will be installed along the perimeter of the construction footprint associated with the drainage crossings. Trapping and relocation of LAPM shall be performed immediately prior to grading or other construction on the Development Site within areas known to be occupied by LAPM within the existing drainage features and/or uplands. Where new roads cross the riparian corridors, undercrossings suitable for safe passage of wildlife will be constructed. The exclusion fencing will be monitored through construction activities within suitable habitat to ensure animals do not return.</p> <p>Restoration of a total of 3.21 acres of Development Site riparian habitat may bring project related impacts to a level that allows for 90 percent conservation of suitable habitat within the Development Site. Mitigation and equivalency may be achieved through the conservation of 7.92 of 8.99 acres of riparian/riverine lands on the Development Site as well as a surrounding buffer of approximately 32.58 acres, including the use of a deed restriction and/or conservation easement (see MM BIO-15</p>	Less Than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
		<p>below). As part of the restoration effort, all non-native invasive species, such as tamarisk, arundo, and pampas grass, will be removed prior to any seeding or planting of native species.</p> <p>MM BIO-10 Prior to issuance of construction permits, a conservation easement will be applied to upland conservation areas adjacent to drainages. During construction and operation, light pollution into the conservation areas will be reduced by shielding light sources and aiming them only into active construction areas during construction, and focused on parking, and commercial areas during operation where lighting is needed. If unforeseen circumstances were to arise that required hazard reduction within an area considered environmentally sensitive or a part of the MSHCP Conservation Area, such as lands proposed for conservation on the Development Site, it would require approval from the appropriate agencies prior to any vegetation management activities. These could include, but are not limited to, the Western Riverside County Regional Conservation Authority (WRCRA), California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), United States Fish and Wildlife Service (USFWS), and the United States Army Corps of Engineers (USACE).</p> <p>MM BIO-11 Upland conservation areas, adjacent to the existing drainages, within the Development Project will be avoided during construction and operation. Light sources during construction and operation will be angled and shielded to avoid light pollution into drainages and adjacent upland conservation areas.</p> <p>MM BIO-12 During construction, upland conservation areas will be fenced to prevent personnel and construction equipment from entering the conservation areas. Standard construction fencing will be sufficient to prevent personnel and equipment from entering the conservation areas.</p> <p>MM BIO-13 Mitigation for impacts to Riparian/Riverine areas covered under the MSHCP would be through several options: (1) contribution of land at 3:1 ratio containing similar habitat and jurisdictional areas to the Reserve; or (2) land dedicated at 3:1 mitigation ratio in fee-title toward conservation and managed by third-party conservation entity; or (3) fee payment made to mitigation bank of in-lieu fee program at 3:1 mitigation ratio; or (4) through creation and enhancement of riparian habitat at 3:1 mitigation ratio within the project area using the disturbed and non-native vegetation areas within Highland Wash, Smith Creek, and Pershing Creek. As part of the restoration effort, a Habitat Restoration and Monitoring Plan (HRMP) will be prepared and is included as MM BIO-14.</p> <p>MM BIO-14 A Habitat Restoration and Monitoring Plan (HRMP) will be reviewed and approved by the City prior to commencement of construction activities on the Development Site. The HRMP will include species information, success criteria and mapped location(s) for the proposed on-site riparian/riverine mitigation, and a habitat viability analysis for the proposed new areas of riparian vegetation. The location of the proposed riparian restoration areas will be provided to the City for review. The plan will be prepared by a qualified restoration consultant and will be utilizing local native plant species in the planting pallet. This plan typically includes a 5-year monitoring element to ensure that restoration efforts are successful.</p> <p>MM BIO-15 A third-party conservation organization will be chosen to monitor and maintain all portions of the Development Site within the designated conservation area, as outlined in a conservation easement covering the drainage features and adjacent upland buffer zones adjacent to drainages. The conservation easement should be in place prior to or immediately following regulatory agency permits being issued. Additionally, any additional off-site land acquired for project mitigation, if any, will be incorporated into the managed land, with approval from relevant agencies such as the Western Riverside County Regional Conservation Authority, California Department of Fish and Wildlife, Regional Water Quality Control Board, and United States Fish and Wildlife Service. Although a designated organization has not been chosen, one will be selected and approved by the City before the project's implementation.</p>	
Threshold 4.4-2: Would the Development Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Significant	MM BIO-1 through BIO-6, and BIO-9 through BIO-15.	Less Than Significant
Threshold 4.4-3: Would the Development Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less Than Significant	MM BIO-1 through BIO-6.	Less Than Significant
Threshold 4.4-4: Would the Development Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant	No Conditions of Approval or Mitigation Measures are required, though compliance with the Migratory Bird Treaty Act is required.	Less Than Significant
Threshold 4.4-5: Would the Development Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Significant	MM BIO-1 through BIO-6.	Less Than Significant
Threshold 4.4-6: Would the Development Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Significant	MM BIO-1 through BIO-6 and BIO 9 through BIO-15.	Less Than Significant
CULTURAL RESOURCES (EIR Section 4.5)			
Threshold 4.5-1: Would the Development Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	Significant	<p>MM CUL-1 The Applicant shall retain a qualified professional archaeological monitor who meets U.S. Secretary of the Interior (SOI) Standards. The monitor shall be present during all ground disturbing activities to identify any known or suspected archaeological and/or cultural resources. The monitor will conduct an Archaeological Sensitivity Training "Sensitivity Workshop," in conjunction with the Consulting Tribe(s)'s Tribal Historic Preservation Officer (THPO). The training session will focus on what the archaeological and tribal cultural resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.</p> <p>MM CUL-2 The qualified archaeologist shall develop an Archaeological Monitoring and Treatment Plan to address the details, timing, and responsibility of all archaeological and cultural resource activities that occur on the Project site, in coordination with the Consulting Tribe(s).</p> <p>MM CUL-3 Prior to the issuance of grading permits, the applicant shall enter into a Native American monitoring agreement with one of the Consulting Tribes for the Project. The Native American Monitor shall be on-site during all initial ground disturbing activities, including clearing, grubbing, vegetation removal, grading, and trenching, within</p>	Less Than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
		<p>native soils. The Native American Monitor shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities in accordance with MM CUL-5 to allow identification, evaluation, and potential recovery of cultural resources. The applicant shall meet and confer with the Tribe on the consideration of a "Sensitivity Workshop" training on possible things that could come up in case a Native American Monitor is not on-site to monitor at certain times.</p> <p>MM CUL-4 In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity (within a 100-foot buffer of the discovery) shall cease and the applicant shall comply with State Health and Safety Code § 7050.5 and Public Resources Code (PRC) § 5097.98. In the event human remains are found and identified as Native American, the applicant shall also notify the City Planning Department so that the City can ensure PRC § 5097.98 is followed.</p> <p>MM CUL-5 In the event that archaeological or tribal cultural resources are unearthed during ground-disturbing activities, ground-disturbing activities shall stop (within a 100-foot buffer of the discovery) or shall be diverted away from the vicinity of the find, so that the find can be evaluated by the qualified archaeologist. A treatment plan shall be developed by a qualified archaeologist (meeting SOI standards) in consultation with the Tribe and the City Planning Department to include relinquishment of all artifacts through one of the following methods:</p> <ul style="list-style-type: none"> • A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This reburial area should be away from any future impacts. Reburial shall not occur until all cataloguing; analysis and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a final report. • Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be provided in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. <p>MM CUL-6 Any and all cultural documents created as a part of the Project (Archaeological Monitoring and Treatment Plans, isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to Consulting Tribe.</p>	
Threshold 4.5-2: Would the Development Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Significant	<p>MM CUL-1 MM CUL-2 MM CUL-3 MM CUL-4 MM CUL-5 MM CUL-6</p>	Less Than Significant
Threshold 4.5-3: Would the Development Project disturb any human remains, including those interred outside of formal cemeteries?	Less Than Significant	No Conditions of Approval or Mitigation Measures are required, though compliance with Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98 is required.	Less Than Significant
ENERGY (EIR Section 4.6)			
Threshold 4.6-1: Would the Development Project result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources, during project construction or operation?	Less Than Significant	<p>RCM ENG-1 Construction. Compliance with Title 13-Section 2449 of the California Code of Regulations and the California Green Building Standards: Prior to issuance of grading and building permits, the City of Banning shall verify that the Project Applicant and his/her contractor(s) submit plans to the City indicating incorporation of Best Available Control Measures during construction of the Project. Best Available Control Measures include, but are not limited to, requirements that the Project Applicant ensure off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) limit vehicle idling to 5 minutes or less; and register and label vehicles in accordance with the California Air Resources Board (CARB) Diesel Off-Road Online Reporting System; restrict the inclusion of older vehicles into fleets; and retire, replace, or repower older engines or install Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). Additionally, the construction contractor must recycle/reuse at least 65 percent of the construction material. This condition shall be implemented to the satisfaction of the City of Banning Development Services Director or designee, and/or Building Official, or designee.</p> <p>Operations. Compliance with the federal Corporate Average Fuel Economy and Energy Independence and Security Act regulations: All vehicles operating in the Development Project will comply with these regulations as enforced by standard vehicle registration processes. Compliance with the Energy Policy Act, Senate Bill 1389, Energy: Planning and Forecasting, Title 24, California Building Code, and the California Green Building Standards Code: The City of Banning shall verify that the Project Applicant and all contractor(s) submit plans to the City indicating incorporation of energy-efficient measures in compliance with these acts.</p>	Less Than Significant
Threshold 4.6-2: Would the Development Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
GEOLOGY AND SOILS (EIR Section 4.7)			
Threshold 4.7-1(i): Would the Development Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (i.) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area of based on other substantial evidence of a known fault?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
Threshold 4.7-1(ii): Would the Development Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (ii) Strong seismic ground shaking?	Less Than Significant	<p>RCM GEO-1 Construction Code Compliance. All structures shall be designed in accordance with the seismic parameters presented in the Geologic and Geotechnical Review prepared for this Development Project and applicable sections of the most current California Building Code (CBC) and other applicable Codes (per Chapter 15.08 of the Banning Municipal Code). Prior to the issuance of building permits for planned structures, the Soils Engineer and the City of Banning Chief Building Official, or designee, shall review building plans to verify that the structural design conforms to the requirements of the Geologic and Geotechnical Review and the applicable provisions of the aforementioned codes.</p>	Less Than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
Threshold 4.7-1(iii): Would the Development Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (iii) Seismic-related ground failure, including liquefaction?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.7-1(iv): Would the Development Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (iv) Landslides?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.7-2: Would the Development Project result in substantial soil erosion or the loss of topsoil?	Less Than Significant	<p>RCM GEO-2 Prior to the issuance of grading and/or building permits, the Applicant shall provide evidence to the City for review and approval that proposed structures, features, facilities, and earthworks to be constructed on the Development Site have been designed to conform to applicable provisions of the California Building Code and other applicable Codes (per BMC Chapter 15.08) in effect at the time of development application as well as the design recommendations detailed in the final geologic and geotechnical review.</p> <p>Additionally, the Applicant shall provide evidence to the City that the recommendations cited in a project-specific final geologic and geotechnical review are incorporated into project plans and/or implemented as deemed appropriate by the City. The final geologic and geotechnical review recommendations may include, but are not limited to, removal of existing vegetation, utilities, and any other surface and subsurface improvements that would not remain in place for use with the structures constructed on the Development Site. Remedial earthwork, over-excavation, and ground improvement shall occur to depths specified in the final geologic and geotechnical review to provide a sufficient layer of engineered fill or densified soil beneath structural footings/foundations, as well as proper surface drainage devices and erosion control. Retaining wall parameters shall be in accordance with the Final Geotechnical Assessment to protect against lateral spreading and on-site landslides. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading. The recommendations of the Final Geotechnical Assessment shall be implemented to the satisfaction of the City's Building and Safety Director or designee.</p> <p>RCM WQ-1 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 Storm Water 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.</p> <p>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 within the Specific Plan area. 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.</p> <p>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 Project design.</p>	Less Than Significant
Threshold 4.7-3: Would the Development Project be located on a geologic unit or soils that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.7-4: Would the Development Project be located in expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant	RCM GEO-1 RCM GEO-2	Less Than Significant
Threshold 4.7-5: Would the Development Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
Threshold 4.7-6: Would the Development Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant	<p>MM GEO-1 Paleontological Resources Monitoring. All mass grading, excavation, drilling, and trenching activities within the old alluvial fan deposits (“Qof”), which underlie the majority of the Development Site, starting at the surface shall be monitored full-time by a qualified paleontological monitor for paleontological resources. Prior to initiation of any grading, drilling, and/or excavation activities, a pre-construction meeting shall be held and attended by the paleontologist of record, the grading contractor and subcontractors, the Development Site applicant, and a representative of the lead agency. The nature of potential paleontological resources shall be discussed, as well as the protocol that is to be implemented following discovery of any fossiliferous materials.</p> <p>For earthmoving within young alluvial fan deposits (“Qyf”) and young alluvial valley deposits (“Qya”) mapped at the Development Site, periodic “spot check” monitoring shall be conducted, consisting of approximately one to three scheduled site visits per week by a qualified paleontological monitor during construction ground disturbance. If fossils are discovered, full-time monitoring for paleontological resources shall be warranted.</p> <p>In the field, the primary monitor or the monitors under the direction and supervision of the site-specific paleontologist shall be the responsible persons on site with the assigned authority and responsibility to control all grading operations that might adversely affect any salvage efforts.</p> <p>All paleontological monitors shall immediately notify all concerned parties (client and lead agency [i.e., the City of Banning]) at the time of any discovery. The City of Banning shall ensure that the recommendations from the qualified, professional paleontologist shall be followed by the Applicant/Developer.</p>	Less Than Significant
GREENHOUSE GAS EMISSIONS (EIR Section 4.8)			
Threshold 4.8-1: Would the Development Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant	<p>MM GHG-1 Provide separate recycling bins within each commercial/industrial building and provide large external recycling collection bins at central locations in the commercial and industrial land uses for collection truck pickup. Provide a commercial recycling/composting program that provides 70 percent diversion of waste for the commercial land uses. Provide an industrial recycling program that provides 80 percent diversion of waste for the industrial land uses.</p> <p>MM GHG-2 Provide drought tolerant low-water landscaping and trees throughout the Project site and use recycled (purple pipe) irrigation water with drip irrigation and weather based smart irrigation controllers.</p> <p>MM GHG-3 Prior to the issuance of building permits, the Project Applicant or successor in interest shall provide documentation to the City of Banning demonstrating that the Project is designed to achieve energy efficient buildings exceeding Title 24 standards with the following design criteria:</p> <ul style="list-style-type: none"> • Building envelopes insulation of conditioned space within all commercial and industrial buildings shall be R15 or greater for walls and R30 or greater for attics/roofs. • Windows of commercial and industrial buildings shall have an insulation factor of 0.28 or less U-factor and 0.22 or less SHGC. • All roofing material for commercial buildings shall be CRRC Rated 0.15 aged solar reflectance or greater and 0.75 thermal emittance. • All heating/cooling ducting within the commercial and industrial buildings shall be insulated with R6 or greater insulation. • All heating and cooling equipment shall be ERR 14/78 percent AFUE, or 7.7 HSPF levels of efficiency or greater. • All water heaters in the commercial and industrial buildings shall be high efficiency electric water heaters with a minimum 0.72 Energy Factor or greater. • Lighting within the commercial and industrial buildings shall be high efficiency LED lighting with a minimum of 40 lumens/watt for 15 watt or less fixtures, 50 lumens/watt for 15–40-watt fixtures, and 60 lumens/watt for fixtures greater than 40 watts. <p>MM GHG-4 All appliances within the commercial and industrial land uses shall be energy star rated appliances.</p> <p>MM GHG-5 All water fixtures shall be water efficient (toilets/urinals [1.5 GPM or less], showerheads [2.0 GPM or less], and faucets [1.28 GMM or less]).</p> <p>MM GHG-6 All landscape equipment used to maintain the landscaping within the Development Project shall be electric.</p>	Significant and Unavoidable
Threshold 4.8-2: Would the Development Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Significant	<p>MM AIR-2</p> <p>MM GHG-1</p> <p>MM GHG-2</p> <p>MM GHG-3</p> <p>MM GHG-4</p> <p>MM GHG-5</p> <p>MM GHG-6</p>	Significant and Unavoidable
HAZARDS AND HAZARDOUS MATERIALS (EIR Section 4.9)			
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?	Less Than Significant	<p>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:</p> <ul style="list-style-type: none"> • 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 • 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 	Less Than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
		(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 RCM WQ-2 RCM WQ-3 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.	
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?	Less Than Significant	RCM HAZ-1 RCM WQ-1 RCM WQ-2	Less Than Significant
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 proposed school?	Less Than Significant	RCM HAZ-1 RCM WQ-1	Less Than Significant
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?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.9-5: For a Development 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 or excessive noise for people residing or working in the project area?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
Threshold 4.9-6: Would the Development Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.9-7: Would the Development Project expose people or structures, either directly or indirectly, to a significant risk or loss, injury or death involving wildland fires?	Less Than Significant	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: <ul style="list-style-type: none"> • 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. • 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. • 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. 	Less Than Significant
HYDROLOGY AND WATER QUALITY (EIR Section 4.10)			
Threshold 4.10-1: Would the Development Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less Than Significant	RCM WQ-1 RCM WQ-2 RCM WQ-3	Less Than Significant
Threshold 4.10-2: Would the Development Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.10-3: Would the Development Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	Significant	RCM WQ-4 Prior to issuance of a grading permit, the Applicant shall submit a Final Hydrology and Hydraulic Analyses to the Director of the City of Banning Public Works Department, or designee, and the Riverside County Flood Control and Water Conservation District for review and approval. The Final Hydrology and Hydraulic	Less Than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
or through the addition of impervious surfaces, in a manner which would (i) result in substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or, (iv) impede or redirect flood flows?		<p>Analyses shall be prepared consistent with the requirements of the <i>Riverside County Flood Control and Water Conservation District Hydrology Manual</i> and the <i>Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development</i>, and Phase I MS4 Permit R7-2013-0011. The Director of the City of Banning Public Works Department, or designee, shall ensure that the drainage facilities specified in the Final Hydrology and Hydraulic Analyses are incorporated into the final Development Project design.</p> <p>MM HYD-1 Prior to the issuance of a grading permit(s) for roadway work in or adjacent to the proposed Lincoln Street creek crossings, the Applicant shall submit a sediment transport and scour analysis to the City for review and approval. As appropriate, the submittal may include equivalent detail on alternative proposals including construction of a bridge or reinforced concrete box culvert for the proposed creek crossings. The sediment transport and scour analysis shall identify pre-project conditions associated with channel morphology, hydrologic flow patterns, existing sedimentation and scouring, sediment size, and depth at each crossing. These same attributes will be analyzed based on post-project conditions to determine if there are any substantial changes to the existing conditions. The purpose of the sediment transport and scour analysis is to compare the functions and values of the drainage features in the pre- and post-project conditions and to ensure that following construction of the Lincoln Street crossings, the functions and values of the drainages with respect to downstream sedimentation are consistent with the long-term preservation of sand dune and sand sheet habitat within the Coachella Valley under the CVMSHCP.</p> <p>MM HYD-2 Prior to City approval of roadway improvement plans for Lincoln Street, including the proposed Lincoln Street crossings, the Applicant shall submit evidence to the City that the Lincoln Street crossings of Pershing and Smith Creeks have been designed to avoid impacts to or, if impacted, to maintain the development transport capacity identified in the approved sediment transport and scour analysis required under Mitigation Measure HYD-1.</p>	
Threshold 4.10-4: Would the Development Project be in a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.10-5: Would the Development Project conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
LAND USE AND PLANNING (EIR Section 4.11)			
Threshold 4.11-1: Would the Development Project physically divide an established community?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.11-2: Would the Development Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less Than Significant	COA TRA-1 through COA TRA-35. (See Appendix J-2 of this EIR for complete text of these Conditions of Approval.)	Less Than Significant
MINERAL RESOURCES (EIR Section 4.12)			
Threshold 4.12-1: Would the Development Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.12-2: Would the Development Project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
NOISE (EIR Section 4.13)			
Threshold 4.13-1: Would the Development Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Significant	<p>MM NOI-1 The construction contractor shall limit construction activities to between the hours of 7:00 a.m. and 6:00 p.m.</p> <p>During grading, site work, paving and utility construction, the construction contractor shall install a minimum 10 ft high temporary construction barrier along the eastern construction boundary to shield residences along Sunset Avenue between Lincoln Street and Westward Avenue, along the southern construction boundary to shield residences along Bobcat Road, and along the eastern construction boundary to shield the school located at the southeast corner of Sunset Avenue and Westward Avenue when project construction activities are within 100 ft from the nearest residential structure to that activity. The temporary construction barrier may be any material that has a minimum Sound Transmission Class (STC) rating of 28. For off-site construction, including for construction of the roadway and utilities, on Sunset Boulevard, the City will determine whether the noise barrier can be constructed on City right of way without impacting roadway access and the construction contractor shall install such barrier on City-owned property provided that such roadway access can be maintained during construction.</p> <p>During all Development Site excavation and grading, the Development Project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.</p> <p>The construction contractor shall locate equipment staging in areas that will create the greatest feasible distance between construction-related noise sources and noise-sensitive receptors nearest the Development Site during all project construction.</p> <p>The construction contractor shall place all stationary construction equipment so that the emitted noise is directed away from the sensitive receptors nearest the Development Site.</p> <p>MM NOI-2 A minimum barrier height of 6 ft along the east side of Sunset Avenue south of Westward Avenue adjacent to existing school buildings at the MSJC school to reduce traffic noise levels for these sensitive receptors to the City's noise standard of 65 dBA CNEL or below.</p>	Significant and Unavoidable
Threshold 4.13-2: Would the Development Project result in the generation of excessive ground-borne vibration or ground-borne noise levels?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
Threshold 4.13-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the Development Project expose people residing or working in the Project area to excessive noise levels?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
POPULATION AND HOUSING (EIR Section 4.14)			
Threshold 4.14-1: Would the Development Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.14-2: Would the Development Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
PUBLIC SERVICES (EIR Section 4.15)			
Threshold 4.15-1: Would the Development Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services?	Less Than Significant	RCM FIRE-1 RCM PS-1 The Application shall pay all applicable Fire Protection Facilities Development Impact Fees for commercial and industrial development when due pursuant to the City Municipal Code.	Less Than Significant
Threshold 4.15-2: Would the Development Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services?	Less Than Significant	PDF PS-2 Prior to the issuance of building permits by the City of Banning, the most current Police Facilities Development Impact Fee for commercial and industrial development shall be paid as calculated by the City. The building permits will be issued by the City after proof of the appropriate Police Facilities Development Impact Fee is paid.	Less Than Significant
Threshold 4.15-3: Would the Development Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?	Less Than Significant	RCM PS-2 The Applicant shall pay all applicable Police Protection Facilities Development Impact Fees for commercial and industrial development when due pursuant to the City Municipal Code.	Less Than Significant
Threshold 4.15-4: Would the Development Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.15-5: Would the Development Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	No Impact
RECREATION (EIR Section 4.16)			
Threshold 4.16-1: Would the Development Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.16-2: Does the Development Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
TRANSPORTATION (EIR Section 4.17)			
Threshold 4.17-1: Would the Development Project conflict with a program, plan, or ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.17-2: Would the Development Project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	Significant	MM TRA-1 Prior to issuance of occupancy permits, the project applicant shall prepare a Transportation Demand Management (TDM) strategy report (as discussed in the <i>Sunset Crossroads Vehicle Miles Traveled (VMT) Analysis</i>) for review and approval by the City Traffic/Transportation Manager, Transportation Demand Management (TDM) strategies have been incorporated into the project design including commute trip reduction marketing, rideshare program, and end-of-trip bicycle facilities.	Significant and Unavoidable
Threshold 4.17-3: Would the Development Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.17-4: Would the Development Project result in inadequate emergency access?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant



Table 1.B: Development Project Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
TRIBAL CULTURAL RESOURCES (EIR Section 4.18)			
Threshold 4.18-1: Would the Development Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).	Significant	MM CUL-1 MM CUL-2 MM CUL-3 MM CUL-4 MM CUL-5 MM CUL-6	Less Than Significant
Threshold 4.18-2: Would the Development Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
UTILITIES AND SERVICE SYSTEMS (EIR Section 4.19)			
Threshold 4.19-1: Would the Development Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant	RCM UT-1 Prior to the issuance of grading permits by the City of Banning, the most current Wastewater Facilities and Water Facilities Development Impact Fees for commercial and industrial uses shall be paid as calculated by the City. The grading permit would be issued by the City once proof of the appropriate Wastewater Facilities and Water Facilities Development Impact Fees are paid.	Less Than Significant
Threshold 4.19-2: Would there be sufficient water supplies available to serve the Development Project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.19-3: Would the Development Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's demand in addition to the provider's existing commitments?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.19-4: Would the Development Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.19-5: Would the Development Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
WILDFIRE (EIR Section 4.20)			
Threshold 4.20-1: Would the Development Project substantially impair an adopted emergency response plan or emergency evacuation plan?	Less Than Significant	RCM FIRE-1	Less Than Significant
Threshold 4.20-2: Would the Development Project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less Than Significant	RCM FIRE-1	Less Than Significant
Threshold 4.20-3: Would the Development Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant
Threshold 4.20-4: Would the Development Project expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less Than Significant	No Conditions of Approval, Project Design Features, Regulatory Compliance Measures, or Mitigation Measures are required.	Less Than Significant

¹ 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.

CDFW = California Department of Fish and Wildlife
ESA = Environmentally Sensitive Area
MLD = Most Likely Descendent
NPDES = National Pollutant Discharge Elimination System

NPS = National Park Service
PRC = Public Resource Code
RWQCB = Regional Water Quality Control Board
SJVAPCD = San Joaquin Valley Air Pollution Control District

SPCP = Spill Prevention and Countermeasures Plan
SWPPP = Storm Water Pollution Prevention Plan
VELB = Valley Elderberry Longhorn Beetle



Table 1.C: MSJC Entitlements Programmatic Analysis Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
AESTHETICS			
Scenic Vistas. Scenic Highways. Visual Character. Light and Glare.	No Impact or Less than Significant Impact.	No Regulatory Compliance Measures or Mitigation Measures are required.	No Impact or Less than Significant Impact for each threshold of significance.
AGRICULTURE AND FORESTRY RESOURCES			
Convert Prime Farmland. Conflict with Williamson Act Land or Land Zoned for Agriculture. Conflict with Forest Land Zoning. Loss/Conversion of Forest Land. Other Changes Resulting in Conversion of Land to Non-Agricultural or Non-Forestry Use.	No Impact.	No Regulatory Compliance Measures or Mitigation Measures are required.	No Impact.
AIR QUALITY			
Conflict/Obstruct Implementation of an AQMP. Cumulative Increase of Criteria Pollutants or Expose Sensitive Receptors to Pollution. Objectionable Odors.	Less than Significant for MSJC Entitlements themselves, but Potentially Significant for subsequent development of VHDR on the MSJC Site.	<p>RCM AQ-1 SCAQMD Rule 403. During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventative measures by using the following procedures, in compliance with South Coast Air Quality Management District (SCAQMD) Rule 403 during construction. The applicable Rule 403 measures are as follows:</p> <ul style="list-style-type: none"> Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more). Water active sites at least twice daily (locations where grading is to occur shall be thoroughly watered prior to earthmoving). Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet (0.6 meter) of freeboard (vertical space between the top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114. Pave construction access roads at least 100 feet (30 meters) onto the site from the main road. Reduce traffic speeds on all unpaved roads to 15 mph or less. <p>RCM AQ-2 All trucks that are to haul excavated or graded material shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.</p> <p>RCM AQ-3 Prior to approval of the Project plans and specifications, the City shall confirm that the construction bid packages specify:</p> <ul style="list-style-type: none"> Contractors shall use high-volume low-pressure paint applicators with a minimum transfer efficiency of at least 50 percent; Coatings and solvents that will be utilized have a volatile organic compound content lower than required under SCAQMD Rule 1113; and To the extent feasible, construction/building materials shall be composed of pre-painted materials. <p>RCM AQ-4 The Project shall comply with SCAQMD Rule 402. Rule 402 prohibits the discharge of air contaminants or other material from any type of operations, which can cause nuisance or annoyance to any considerable number of people or to the public or which endangers the comfort or repose of any such persons, or the public.</p>	Less than Significant for MSJC Entitlements. While the City's General Plan includes a mechanism requiring project-specific air quality analysis, the results of such project-specific analysis as well as the effects associated with VHDR development on the MSJC Site, and/or the effectiveness of the regulatory compliance measures referenced above, cannot be determined at this time. In the absence of such assessment, potential air quality impacts resulting from future development of the MSJC Site may be significant.
BIOLOGICAL RESOURCES			
Have a substantial adverse effect on candidate, sensitive, or special status species. Have a substantial adverse effect on any riparian habitat or other sensitive natural community. Have a substantial adverse effect on federally protected wetlands. Interfere substantially with the movement of any native resident or migratory fish or wildlife species. Conflict with any local biological resources policies or ordinances. Conflict with adopted plans.	The MSJC Entitlements themselves would not result in a physical disturbance; therefore, the impacts to biological resources from adoption of these entitlements would be less than significant. Subsequent development of the MSJC Site with VHDR uses could potentially significantly impact biological resources; therefore, implementation of the following mitigation measures would reduce the potential impacts to biological resources resulting from subsequent development on the MSJC Site to a less than significant level.	<p>MSJC Site MM BIO-1 Prior to issuance of grading permits for any development on the MSJC Site, the applicant of said development shall complete a habitat assessment for the Project, and provide evidence to the City of the same for review and approval. The habitat assessment shall provide a project-level review of current MSJC Site conditions, review of appropriate literature (including applicable MSHCP survey requirements), and a comprehensive pedestrian survey of the Project area. The Habitat Assessment shall identify any required focused survey(s), the timing of such surveys, and other recommendations required to prevent adverse impact to protected biological resources.</p> <p>MSJC Site MM BIO-2 Pursuant to results of the Habitat Assessment required in MSJC Site MM BIO-1 and other applicable MSHCP requirements, prior to the issuance of grading permits for any development on the MSJC Site, the applicant of said development shall conduct and complete focused biological resource survey(s) and provide evidence to the City of the same for review and approval. These surveys shall include, but may not be limited to the following:</p> <ul style="list-style-type: none"> Burrowing Owl survey Narrow Endemic Plant Survey Small Mammal Trapping Survey Fairy-Shrimp (wet and dry season) Jurisdictional Delineation MSHCP Consistency Analysis Determination of Biological Equivalent or Superior Preservation Report Based on the foregoing, avoidance, mitigation, and/or compliance measures 	Less than Significant.



Table 1.C: MSJC Entitlements Programmatic Analysis Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
		<p>MSJC Site MM BIO-3 Prior to the issuance of grading permits for any development on the MSJC Site, the applicant of said development shall provide evidence to the City, that the avoidance, mitigation and/or compliance measure identified in the focused biological resource survey(s) report(s) required under MSJC Site MM BIO-2 have been incorporated into project design and/or satisfied pursuant to review of the Regional Conservation Authority.</p> <p>MSJC Site MM BIO-4 The project applicant for development of the MSJC Site shall obtain required permits from the US Army Corps of Engineers, California Department of Fish and Wildlife, and/or the Regional Water Quality Control Board, incorporate permitting requirements related to any on-site jurisdictional feature, water, or waterway into project design and/or completed to the satisfaction (as applicable) of each agency, and provide evidence to the City of compliance with applicable permits and mitigation requirements prior to the issuance of grading permits for any development on the MSJC Site.</p> <p>MSJC Site MM BIO-5 Prior to the issuance of grading permits for any development on the MSJC Site, the applicant for said development shall provide evidence to the City that on-site drainages have been avoided and/or impacts to drainage features have been minimized to the extent feasible. Impacts to any jurisdictional resource shall be mitigated pursuant to MSJC Site MM BIO-4. Furthermore, the applicant shall further provide evidence to the City that appropriate buffer area(s) (as defined by the City) have been established to appropriately separate on-site drainage features from any subsequent development that may occur on-site.</p>	
CULTURAL RESOURCES			
Historic and Archaeological Resources. Human Remains.	The MSJC Entitlements themselves would not result in a physical disturbance; therefore, the impacts to cultural resources resulting from these actions would be less than significant. Subsequent development of the MSJC Site with VHDR uses could potentially significantly impact undiscovered historic and archaeological resources.	<p>MSJC Site MM CUL-1 The applicant shall prepare and submit a Phase 1 Cultural Resources Assessment to the City for review and approval before issuance of grading permits for any development on the MSJC Site. The Cultural Resources Assessment shall be prepared in accordance with applicable requirements of the California Environmental Quality Act (CEQA) by a Secretary of the Interior (SOI) qualified professional and shall include, but not be limited to, (1) an updated archaeological records search, (2) an intensive pedestrian survey, (3) an evaluation of significance of any cultural resources identified, and (4) the preparation of a Phase I report of the findings with recommendation and potential mitigation.</p> <p>The City has identified standard mitigation measures to address potential impacts to archaeological/historic resources that may be identified during a site-specific Cultural Resources Assessment. Depending on the outcome of the site-specific Cultural Resources Assessment and as required by the City, some or all of mitigation measures MM CUL-1 through CUL-6 identified in Section 4.5.6.1 of this EIR shall be appropriately applied to any future development of the MSJC Site.</p>	Less than Significant.
ENERGY			
Wasteful, Inefficient, or Unnecessary Energy Use. Conflict with Renewable Energy/Energy Efficiency Plan.	No Impact for MSJC Entitlements.	No Regulatory Compliance Measures or Mitigation Measures are required.	No Impact for MSJC Entitlements or any future development of the MSJC Site.
GEOLOGY AND SOILS			
Cause Adverse Effects from Seismic Events. Soil Erosion. Unstable Soils. Expansive Soils. Septic Tanks or Alternative Sewer Systems. Paleontological/Geological Resources.	The MSJC Entitlements themselves would not result in a physical disturbance; therefore, no impacts related to geologic or paleontological resources would occur. During subsequent development, impacts would be Less than Significant (Geologic) and Potentially Significant (Paleontological Resources).	<p>MSJC Site RCM GEO-1 The applicant for development on the MSJC Site shall prepare and complete a project-specific geotechnical investigation, and submit it to the City for review and approval prior to issuance of grading permits for any development on the MSJC Site. The project-specific geotechnical evaluation shall be prepared by a licensed geotechnical engineer and shall identify and address on-site geotechnical conditions and the appropriate design, grading, and construction parameters required per applicable sections of the most current California Building Code.</p> <p>The applicant for development on the MSJC Site shall provide evidence to the City Engineer that the site-specific geotechnical conditions and recommendations identified in the geotechnical evaluation are appropriately incorporated into the grading plans, design and construction documents for any on-site landform modification, structure, feature, or facility, and that the building plans and structural design conform to the requirements of the geotechnical evaluation and the City Municipal Code.</p> <p>MSJC Site MM GEO-1 The applicant for development on the MSJC Site shall complete a Paleontological Resources Assessment and provide it to the City for review and approval prior to issuance of grading permits for any development on the MSJC Site.</p> <p>MSJC Site MM GEO-2 Prior to the issuance of grading permits for any development on the MSJC Site, the applicant of said development shall provide evidence to the City for review and approval that the mitigation and/or compliance measures identified in the site-specific Paleontological Resources Assessment have been fully implemented and/or incorporated into the project design.</p>	Less than Significant
GREENHOUSE GAS EMISSIONS			
Generate Significant GHG Emissions. Conflict with GHG Reduction Plan/Policy.	No Impact for MSJC Entitlements. In the absence of a project proposal for VHDR development on the MSJC Site it would be speculative to estimate the project-specific GHG emissions that may be associated with VHDR development. In the absence of such an assessment, potential GHG emissions resulting from future	No Regulatory Compliance Measures or Mitigation Measures are required at this time.	No Impact for MSJC Entitlements. Potentially significant impacts for future VHDR development on the MSJC Site which cannot be determined in the absence of a specific development proposal.



Table 1.C: MSJC Entitlements Programmatic Analysis Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
	development of the MSJC Site may be significant.		
HAZARDS AND HAZARDOUS MATERIALS			
Significant Hazards from Routine Transport, Use, or Disposal. Hazards from Reasonably Foreseeable Upset and Accident. Proximity to Schools. Located on a Known Hazardous Waste Site. Airport Land Use Plan. Emergency Response and Evacuation. Wildland Fire Hazards.	The MSJC Entitlements themselves would not result in a physical disturbance; therefore, there would be no significant impacts related to hazards. During development of the MSJC Site, potentially significant impacts related to unrecorded or unknown hazardous materials may occur.	<p>MSJC Site MM HAZ-1 Prior to the issuance of grading permits for any development on the MSJC Site, the applicant of said development shall prepare and submit to the City for review and approval a project-specific Phase 1 Environmental Site Assessment.</p> <p>MSJC Site MM HAZ-2 Prior to the issuance of grading permits for any development on the MSJC Site, the applicant of said development shall submit to the City for review and approval any mitigation and/or compliance measures identified in the project-specific Phase I Environmental Site Assessment, provide evidence that said measures have been fully satisfied, implemented and/or incorporated into the project design.</p> <p>MSJC Site MM HAZ-3 Prior to project approval of development on the MSJC Site, the applicant of said development shall prepare and submit to the City for review and approval a project-specific Fire Protection Plan. The Fire Protection Plan shall include mitigation and/or compliance measures, which will require approval by the City.</p>	Less than Significant for future development of VHDR.
HYDROLOGY AND WATER QUALITY			
Violate Water Quality Standards of Degrade Water Quality. Substantially Decrease Groundwater Supplies. Substantial Changes in Drainage Patterns. Flood, Tsunami, or Seiche Hazards. Conflict or Obstruct a Water Quality Control Plan or Sustainable Groundwater Management Plan.	The MSJC Entitlements themselves would not result in a physical disturbance; therefore, there would be no impacts related to hydrology and water quality. Subsequent development of the MSJC Site may result in potentially significant hydrology and water quality impacts.	<p>MSJC Site RCM WQ-1 Prior to commencement of construction activities for any development on the MSJC Site pursuant to the MSJC Entitlements, the applicant for said development shall obtain coverage under the <i>National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities</i> (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.</p> <p>Furthermore, in compliance with City of Banning Ordinance No. 1388 Grading, Erosion, and Sediment Control, the applicant shall submit a grading plan and erosion control plan to the City for review and approval prior to the issuance of a grading permit for any development that may occur on the MSJC Site pursuant to the MSJC Entitlements.</p> <p>MSJC Site RCM WQ-2 Prior to issuance of a grading permits for any development pursuant to the MSJC Entitlements on the MSJC Site, the applicant shall prepare and submit to the City for review and approval, a site-specific Water Quality Management Plan (WQMP). The WQMP shall specify (as applicable) 1) the BMPs to be incorporated into the any MSJC Site development design to target pollutants of concern in runoff from the proposed development; 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; 5) the specific action to be taken if it is determined that the BMP is not meeting its intended goal(s), and 6) other issues or analyses required by the City.</p> <p>The applicant shall further provide evidence the features identified in the (Final) WQMP are fully incorporated, as approved by the City, into any MSJC Site development to meet the hydromodification requirements of the Whitewater River Watershed MS4 Permit.</p> <p>MSJC Site RCM WQ-3 Prior to issuance of grading permits for any development pursuant to the MSJC Entitlements on the MSJC Site, the applicant of said development shall prepare and submit to the City for review and approval a site-specific Hydrology and Hydraulic Analyses. The Hydrology and Hydraulic Analyses shall be prepared consistent with the requirements of the <i>Riverside County Flood Control and Water Conservation District Hydrology Manual</i> and the <i>Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development</i>, and Phase I MS4 Permit R7-2013-0011. The applicant of said development shall further provide evidence that the drainage facilities specified in (Final) Hydrology and Hydraulic Analyses, as approved by the City, are incorporated into the any final project design.</p>	Less than Significant for future development of VHDR.
LAND USE AND PLANNING			
Physically Divide a Community. Conflict with Land Use Policy.	No Impact.	No Regulatory Compliance Measures or Mitigation Measures are required.	No Impact.
MINERAL RESOURCES			
Loss of a Known Mineral Resource Valuable to the Region and State. Loss of Availability of a Locally Important Delineated Mineral Resource Site.	No Impact for MSJC Entitlements or future development of VHDR.	No Regulatory Compliance Measures or Mitigation Measures are required.	No Impact.
NOISE			
Increase in Ambient Noise. Excessive Vibration. Airport Noise.	The MSJC Entitlements themselves would not result in a physical disturbance or change of activity on the MSJC Site; therefore, no noise impacts would result from these actions and no impact would occur. Subsequent development of the MSJC Site would generate a potentially significant increase in ambient and excessive vibration noise during construction and occupation of VHDR uses, and no significant	MSJC Site MM NOI-1 As part of the project application, the applicant of future development on the MSJC Site shall prepare and submit to the City for review and approval a project-specific noise impact assessment evaluating noise impacts associated with construction and operation of the project residential uses. The noise and vibration impact assessment shall identify mitigation measures to reduce noise impacts. Prior to the issuance of building permits, the applicant of future development shall provide evidence to the City, that the measures, features, and/or design recommendations detailed in any such assessment are incorporated into any future development on the MSJC Site.	Upon implementation of the stated mitigation, including the implementation of project features and design recommendations detailed in a development-specific noise assessment, noise impacts related to development of subsequent residential development on the MSJC Site would be less than significant.



Table 1.C: MSJC Entitlements Programmatic Analysis Summary of Impacts and Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures

Environmental Impacts	Level of Significance without Mitigation	Conditions of Approval/Project Design Features/Regulatory Compliance Measures/Mitigation Measures	Level of Significance with Mitigation
	impact from airport noise; therefore, implementation of mitigation related to potential ambient noise increase and excessive vibration is required.		
POPULATION AND HOUSING			
Induce Substantial Unplanned Growth. Displace Substantial Numbers of Persons/Housing.	No Impact.	No Regulatory Compliance Measures or Mitigation Measures are required.	No Impact.
PUBLIC SERVICES			
Fire Protection. Police Protection. Schools. Parks. Governmental Facilities and Libraries.	No Impact from adoption of MSJC Entitlements; impact from development of MSJC Site after payment of DIF fees.	MSJC Site RCM PS-1 Prior to commencement of construction activities for any development on the MSJC Site pursuant to the MSJC Entitlements, the applicant for said development shall provide evidence that applicable and appropriate Development Impact Fees and School Impact Fees have been paid.	No Impact.
RECREATION			
Increased Use of Existing Facilities. Project Recreation Facilities.	No Impact from adoption of MSJC Entitlements; impact from development of MSJC Site after payment of DIF fees.	MSJC Site RCM REC-1 Prior to commencement of construction activities for any development on the MSJC Site pursuant to the MSJC Entitlements, the applicant for said development shall provide evidence that applicable and appropriate Development Impact Fees for recreation and park facilities have been paid.	No Impact.
TRANSPORTATION			
Conflict with Circulation Plans/Policies. Be Inconsistent with CEQA Guidelines Section 15064.3. Increase Hazards. Inadequate Emergency Access.	No Impact from adoption of MSJC Entitlements; potentially significant impact from development of MSJC Site.	MSJC Site MM TRA-1 Prior to commencement of construction activities for any development on the MSJC Site pursuant to the MSJC Entitlements (as required by the City), the applicant for said development shall provide evidence that an MSJC Site-specific traffic assessment and VMT analysis has been completed. Such assessment/analysis shall identify the appropriate and applicable measures to address potential traffic deficiencies and/or impacts resulting from development of the MSJC Site.	Less than Significant Impact.
TRIBAL CULTURAL RESOURCES			
Change in Significance of Listed or Eligible Tribal Cultural Resource. Change in Significance of Tribal Cultural Resource Designated by the City.	No Impact from adoption of MSJC Entitlements; potentially significant impact from VHDR development of MSJC Site.	MSJC Site MM CUL-1 The applicant shall complete a Phase 1 Cultural Resources Assessment and submit it to the City for review and approval prior to issuance of grading permits for any development on the MSJC Site. The Cultural Resources Assessment shall be prepared in accordance with applicable requirements of the California Environmental Quality Act (CEQA) by a Secretary of the Interior (SOI) qualified professional and shall include, but not be limited to, an updated archaeological records search, an intensive pedestrian survey, an evaluation of significance of any cultural resources identified, and the preparation of a Phase I report of the findings with recommendation and potential mitigation. The City has identified standard mitigation measures to address potential impacts to archaeological/historic resources that may be identified during a site-specific Cultural Resources Assessment. Depending on the outcome of the site-specific Cultural Resources Assessment and as required by the City, some or all of mitigation measures MM CUL-1 through CUL-6 identified in Section 4.5.6.1 of this EIR shall be appropriately applied to any future development of the MSJC Site.	Impacts from VHDR development would be less than significant.
UTILITIES AND SERVICE SYSTEMS			
New or Expanded Facilities. Water Supply. Wastewater Capacity. Landfill Capacity. Solid Waste Reduction Regulations.	No impact from adoption of MSJC Entitlements; potentially significant impact from VHDR development of MSJC Site.	No Regulatory Compliance Measures or Mitigation Measures are required.	Less than Significant Impact
WILDFIRE			
Emergency Response and Evacuation. Exacerbate Wildfire Risk and Exposure to Wildfire Pollutants. Infrastructure Exacerbating Wildfire Risk.	No impact from adoption of MSJC Entitlements; potentially significant impact from VHDR development of MSJC Site.	MSJC Site MM WLD-1 The applicant shall prepare a project-specific Fire Protection Plan, including the identification of required Fuel Management Zones and submit to the City for review and approval in connection with project approval of the VHDR project for the MSJC Site. The Fire Protection Plan shall include the identification of required Fuel Management Zones, and address the applicable requirements, guidelines, and/or standards stated under Chapter 8.16 of the City's Municipal Code and the California Building and/or Fire Codes. MSJC Site MM WLD-2 Prior to the issuance of construction permits for any development on the MSJC Site, the applicant of said development shall provide evidence for the City's review and approval that the fire protection measures, features, and/or practices identified in the project-specific Fire Protection Plan have been fully implemented and/or incorporated into the project design.	

CDFW: California Department of Fish and Wildlife
ESA: Environmentally Sensitive Area
MLD: Most Likely Descendent

NPDES: National Pollutant Discharge Elimination System
NPS: National Park Service
PRC: Public Resource Code

RWQCB: Regional Water Quality Control Board
SJVAPCD: San Joaquin Valley Air Pollution Control District
SPCP: Spill Prevention and Countermeasures Plan

SWPPP: Storm Water Pollution Prevention Plan
VELB: Valley Elderberry Longhorn Beetle



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