

**NOTICE OF PREPARATION
DRAFT ENVIRONMENTAL IMPACT REPORT
FIRST HATHAWAY LOGISTICS PROJECT
APRIL 22, 2022**



To: (Please see attached list of Responsible, Trustee, Federal, and Local Agencies, and adjacent property owners)

From: City of Banning Community Development Department
99 E. Ramsey Street
Banning, California 92220

CEQA Lead Agency

Staff Contact: Adam B. Rush, M.A., AICP, Director
City of Banning
Community Development Department
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Banning, California 92220
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SUBJECT: Notice of Preparation (NOP) of an Environmental Impact Report for the First Hathaway Logistics Project

The City of Banning (City) as Lead Agency will prepare an Environmental Impact Report (EIR) for the **First Hathaway Logistics Project** (Project). The project description, location, and issues to be addressed in the EIR are described in the attached materials. An Initial Study was not prepared for the Project.

The City is soliciting comments from public agencies, organizations, and members of the public regarding the scope and content of the EIR and the environmental issues and alternatives to be addressed in the EIR. Public agencies may need to use the EIR when considering, permitting, or evaluating other approvals that are germane to the respective agencies' responsibilities in connection with the Project.

Because of time limits mandated by State law, public agencies must submit any comments in response to this notice at the earliest possible date, but not later than 30 days after receipt of this notice. Comments should identify the significant environmental issues and reasonable alternatives and mitigation measures the Lead Agency should explore in the Draft EIR; and whether the commenting agency will be a responsible agency or a trustee agency, as defined by the California Environmental Quality Act (CEQA) Guidelines Sections 15381 and 15386, respectively. The City also will accept comments from other interested parties regarding this notice during this time period.

NOP COMMENT PERIOD

The City invites you to submit written comments describing your specific environmental concerns, and if representing a public agency, please identify your specific areas of statutory responsibility, if applicable. Written comments are desired at the earliest possible date, but due to the time limits mandated by State law, your response must be sent no later than 30 days after receipt of this notice. **The NOP public comment period begins on April 22, 2022 and ends on May 22, 2022.** Accordingly, please provide your

written response to the address shown below by 5:00 p.m., **May 22, 2022**, and please include your name, address, and contact information in your correspondence. If you wish to be placed on the notification list for this project, or if you have any questions or need additional information, please contact the person below.

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Public Scoping Meeting: A public scoping meeting will be held on Thursday, May 19, 2022, starting at 10:00 a.m. at Banning City Hall, 99 E. Ramsey Street, Banning, California 92220. At this meeting, public agencies, organizations, and members of the public will be able to review the proposed project application materials and provide comments on the scope of the environmental review process.

I. PROJECT LOCATION

The Project site is composed of six parcels (Assessor's Parcel Numbers [APNs] 532-110-001, -002, -003, -008, -009, and -010) located in the eastern portion of the City of Banning, Riverside County. The site is located on Section 11 of Township 3 South, Range 1 East of the U.S. Geological Survey (USGS) 7.5-minute series *Cabazon, California* Quadrangle, San Bernardino Baseline and Meridian. The approximate center of the Project site is located at latitude 33° 55' 50" north and longitude 116° 51' 18" west.

The Project site is located as close as 400 feet north of Interstate 10, 750 feet north of the Union Pacific Railroad (UPRR), adjacent to the east of Hathaway Street, and south of Wilson Street. Single and multi-family residential uses are located west of the Project site across Hathaway Street. Undeveloped land is located adjacent to the east and north of the site, while undeveloped land and a materials and equipment staging yard operated by the California Department of Transportation (Caltrans) are adjacent to the south. Figure 1 depicts the Project site in relation to the regional setting and Figure 2 depicts the Project site in relation to surrounding properties.

II. PROJECT SETTING

The Project is situated in the eastern portion of the City of Banning (City) on 94.86 gross acres. The Project site is substantially disturbed from prior occupation and rough grading. Approximately 30.54 acres of the Project site (APNs 532-110-001 and -002) were previously developed and operated by the Orco Block and Hardscape Company with industrial buildings and staging of equipment and materials, the majority of which were demolished and removed from the site between 2011 and 2012. The balance of the Project site (APNs 532-110-003, -008, -009, and -010) composed of Approximately 64.32 acres was cleared and graded in 2011 for a previously-approved industrial warehouse development that was canceled due to changes in market demand.

The Project site has a General Plan land use and zoning designation of Business Park (BP). According to the General Plan Land Use Element and Chapter 17.12 (Commercial and Industrial Districts) of the Banning Municipal Code, "light industrial manufacturing and office/warehouse buildings are appropriate in this designation. Restaurants and retail uses ancillary to a primary use, and professional offices are also

appropriate. Commercial development, such as large-scale retail (club stores, home improvement, etc.) and mixed-use project may also be permitted, subject to a conditional use permit.”¹ The proposed Project does not require a General Plan Amendment or a Zone Change, as the proposed warehouse development is a permitted use in the existing Business Park (BP) land use and zoning designation.

The existing high point of the Project site is approximately 2,330 feet above mean sea level (amsl) measured in the northwest corner of the site, and the a low point is approximately 2,217 feet amsl in the southeast corner of the site. Vegetation communities/land cover types on the Project site consist of graded/disturbed grassland and developed areas composed of engineered slopes, a remnant building and paved areas of the Orco Block and Hardscape Company, and existing underground utilities and stormwater infrastructure installed as part of the previously-approved industrial warehouse development that was never completed. Overhead and underground utility lines also proceed through the site and along its perimeter and will be relocated and converted from overhead to underground as needed. Additionally, the Banning Electric Utility has conditioned the project Applicant to utilize an open area up to one acre in size for a new 34.5 kilovolt (kV)/12.47 kV step-down power transformation substation to accommodate the proposed project.

The existing setting adjacent to the Project site is identified as follows:

North: A narrow strip of private, vacant land approximately 340 feet wide and 4,803 feet long abuts the northern Project site boundary and has been annexed into the City as part of a land swap with the Morongo Band of Mission Indians (Morongo). Land north of this narrow strip is part of the Morongo Indian Reservation and includes an electrical transmission line and guard house along Morongo Road, a northeast/southwest traversing road that leads from Hathaway Street to the communities of the Morongo Indian Reservation.

East: Property adjacent to the east of the Project site is vacant and undeveloped, a portion of which was previously graded in 2011 as part of the previously-approved industrial warehouse development that was canceled due to changes in market demand. Additionally, an electric distribution circuit and associated two-track utility road proceed from the Project site onto the adjacent property to the east. Farther to the east is the Banning West Weigh Station and Desert Hills Inspections Facility administered by the California Highway Patrol along I-10.

South: Property adjacent to the south of the Project site includes undeveloped land and a materials and equipment staging yard operated by Caltrans. Farther to the south are an automotive service and repair facility, hardscape sales and materials yard, I-10 and the UPRR, and the Banning Municipal Airport on the south side of I-10.

West: Property adjacent to the west of the Project site includes Hathaway Road and single and multi-family residential uses and associated local roadways

III. PROJECT DESCRIPTION

The Project seeks to entitle and permit development of the entire 94.86-acre site with 75.54 acres assigned to a proposed 1,414,362 square-foot warehouse distribution building with employee/visitor and trailer parking, 7.61 acres assigned to additional trailer parking, 1.65 acres to remain generally

¹ City of Banning General Plan. *Chapter III, Community Development, Land Use Element*. Pages III-7 and III-8. Adopted January 2006.

undeveloped, and 10.06 acres dedicated for public roadways to facilitate access to the site and adjacent properties.

Project entitlements will include approval of a Design Review , Tentative Parcel Map , and other discretionary and ministerial approvals, permits, and actions by the City in support of these (e.g., grading permit, offsite street and utility permits, building permit, etc.). A thorough description of the various project components, extent and intensity of development, planned improvements, and project features will be included in the Draft EIR.

Warehouse Development – Proposed Site Plan: The total square footage of the warehouse distribution building would be 1,414,362, of which 34,000 square feet would consist of two-story office space. The office spaces would be located in the corners of the building, with warehouse use taking up the center. The ultimate end user has not been identified at this time; therefore, specific details about the future operation of the warehouse facility are not currently available. Because the end user is not known at this time, the Project Applicant has requested approval for the future warehouse to operate 24 hours a day/7 days per week depending on business/operational needs. Accordingly, the environmental evaluation of the Project will assume this level of activity. Also for the purposes of a “worst case” assessment, it is assumed up to 50 percent of the warehouse space may be refrigerated, so it will be assumed for the purposes of the EIR analyses that up to 50 percent of all trucks accessing the Project would have transport refrigeration units (TRUs). This operational assumption is reasonable and conservative based on other warehouse projects in southern California, which range from 25 percent to over 50 percent in some cases.

The proposed warehouse building would be constructed to a maximum height of 50 feet, plus architectural parapets,² and would have substantial setbacks from the public right-of-way (ROW) in every direction (e.g., 300 feet from Hathaway Street and 200 feet from Wilson Street, First Industrial Way, and Nicolet Street, respectively). The proposed warehouse would be further separated from the adjacent land uses through implementation of grade variations between the Project site and adjacent land uses via landscaped engineered slopes. The Project includes a cut slope along the western frontage of the site and a fill slope along the eastern frontage of the site. The finished grade of the proposed warehouse building and parking lot would be up to 42 feet lower in elevation than Hathaway Street and the residential uses to the west and up to 32 feet higher in elevation than First Industrial Way at the eastern end of the site. In addition to the warehouse building, the Project would include vehicle and truck parking as well as bike racks for bicycle parking.

A combination of drought-tolerant plant material including evergreen and deciduous trees, low shrubs, and masses of groundcovers will be installed throughout the Project site to create a cohesive and inviting environment for employees/visitors, pedestrians, and passing motorists. Prominent landscape focal points will be installed at street corners, along roadways, at building entrances, and in passenger vehicle parking lots. Landscaping featuring colorful accent trees, shrubs, and groundcover will be installed at key corners and driveway entries. Project landscaping would be designed to screen industrial buildings and any truck traffic passing through the Project site.

The Project will incorporate standard streetscape landscaping along Project roadways and will include a variety of standard ‘interfaces’ which will provide buffering between the on-site industrial uses and adjacent offsite uses.

² Parapet height would raise overall building height to slightly greater than 50 feet in accordance with Chapter 17.80 (Minor Exceptions) of the Banning Development Code.

All landscaped areas would be equipped with a permanent, automatic, underground irrigation system conforming to City requirements and State Model Water Efficient Landscape Ordinance AB1881. The irrigation system will constitute a drip design to apply water slowly, allowing plants to be deep soaked and to reduce runoff. The conceptual site plan for the Project is shown in Figure 3.

Tentative Parcel Map No. 38256: The proposed Project site is currently composed of six parcels. A Tentative Parcel Map is proposed to consolidate the 94.86-acre development site into three parcels for the proposed warehouse building, extra trailer parking, and ancillary property. Figure 4 shows the Tentative Parcel Map of the site with existing utilities.

Circulation: Regional access to the Project site is provided via the I-10 Freeway at the Ramsey Street and Hargrave Street interchanges. Hargrave Street and Hathaway Street connect to Ramsey Street. The development portion of the Project site will have primary access off Hathaway Street on the west side of the site. The project would construct and dedicate to the City three additional roadways along the northern, eastern, and southern perimeters of the site and dedicate ROW to the City for public use. The proposed Project would construct the following street improvements:

- Wilson Street: Construct and dedicate to ultimate half-width per the General Plan standard for a Collector Street and install curb, gutter, sidewalk, parkway landscaping, and street trees along the southern side of the street fronting the Project site between [existing] Hathaway Street and proposed First Industrial Way.
- First Industrial Way: Construct and dedicate to ultimate full-width per the General Plan standard for a Collector Street and install curb, gutter, sidewalk, parkway landscaping, and street trees along the western side of the street fronting the Project site between proposed Wilson Street and proposed Nicolet Street.
- Nicolet Street: Construct and dedicate to ultimate full-width per the General Plan standard for a Collector Street and install curb, gutter, sidewalk, parkway landscaping, and street trees along both sides of the street fronting the Project site between proposed First Industrial Way and [existing] Hathaway Street.
- Hathaway Street: Dedicate and widen to ultimate half-width per the General Plan standard for a Major Highway (4 lanes) and install curb, gutter, sidewalk, parkway landscaping, and street trees along the eastern side of the street fronting the Project site between proposed Nicolet Street and proposed Wilson Street.

All street improvements would be constructed consistent with City standards and regulations, as shown in the Tentative Parcel Map No. 38256 (Figure 4).

The main entrance to the Project site would be from Hathaway Street via a 60-foot-wide truck/automobile driveway located between Nicolet Street and George Street that would connect to an 800-foot-long onsite drive aisle leading downslope to employee and trailer parking. One additional 40-foot-wide truck/automobile driveway would be constructed along Wilson Street at the northeastern end of the Project site, and three additional 40-foot-wide truck/automobile driveways would be constructed along Nicolet Street along the Project site's southern frontage. The two easternmost driveways proposed along Nicolet Street would allow access to the additional trailer parking lot composing the southeast portion of the Project site, and one of these driveways would constitute a four-way intersection facilitating access north to the warehouse building property and south to the additional trailer parking lot. The Project site

would include 834 passenger vehicle parking stalls and 698 trailer parking stalls.³ The conceptual site plan for the Project showing the perimeter roadways, driveways, and onsite drive aisles is depicted in Figure 3.

It should be noted there are additional roadway improvements in proximity to the Project site that are either ongoing or planned for future execution by the City, Morongo Tribe, and other entities under separate actions. For example, a small strip of land 110 feet wide by 489 feet long adjacent to the northwest of the Project site, which is part of the Morongo Indian Reservation, has been dedicated to the City by Morongo as a street easement in order for the City to reconfigure the intersection of Hathaway Street/Wilson Street adjacent to the northwest corner of the Project site to create a perpendicular three-way intersection at Hathaway Street/Wilson Street under a separate action. It is understood that the Morongo Tribe has plans underway to relocate their main entrance to the reservation lands (Morongo Road) to the north along Hathaway Street near Hopper Street.

Additionally, the City is currently conducting a Public Works project to improve Hathaway Street and Ramsey Street in proximity of the Project site under a separate action. The City is widening Hathaway Street to ultimate full-width per the General Plan standard for a Major Highway (4 lanes) from 300 feet north of Nicolet Street southbound to Ramsey Street. Additionally, the City is widening Ramsey Street to ultimate full-width per the General Plan standard for a Major Highway (4 lanes) from 400 feet west of Hathaway Street to 1,300 feet east of Hathaway Street. As part of the City's Public Works improvements, these segments of Hathaway Street and Ramey Street would include new curb, gutter, sidewalk, parkway landscaping, and street trees consistent with City standards and regulations.

Drainage: Water on the site generally sheet flows from northwest to southeast across the site onto adjacent undeveloped properties. Earthen stormwater catch basins and related facilities were installed on the project site in 2011 for the previously-approved industrial warehouse development that was canceled due to changes in market demand. These existing facilities would be utilized and modified as necessary as part of the proposed Project and updated with new site-specific stormwater facilities.

The proposed Project would require on-site storm drain utility improvements. Hathaway, Wilson, First Industrial Way, and Nicolet Streets would be improved with curb and gutter for capture of storm water flows in accordance with the City's National Pollutant Discharge Elimination System (NPDES) Stormwater Permit.⁴ The proposed Project would develop on-site drainage improvements to convey and capture flows generated by the placement of new impervious structures and pavement.

The proposed project will include low impact best management practices (LID BMPs) for source control, pollution prevention, site design, LID implementation, and structural treatment control. BMPs shall be designed and implemented to address 303(d) listed pollutants and retain the Project site's minimum design capture volume and hydromodification volume to ensure post-development storm water runoff volume or time of concentration does not exceed pre-development storm water runoff in accordance with the NPDES Permit.

Offsite receiving waters include Smith Creek approximately 1 mile south of the site, which flows into the San Gorgonio River approximately 2.3 miles southeast of the site.

³ Trailer parking stalls can be converted to passenger vehicle parking stalls if necessary.

⁴ Colorado River Basin Regional Water Quality Control Board Order Number 2009-0009, National Pollutant Discharge Elimination System Permit No. CAS000002, also known as the Municipal Separate Storm Sewer System or MS4 permit.

Utilities: Gas, electric, telecommunications, water, sewer, and storm drain facilities currently exist along Hathaway Street and through the Project site. Gas service is provided by Southern California Gas Company. Electric service is provided by the City of Banning Electric Utility along Hathaway. Southern California Edison has overhead facilities along the Nicolet alignment. Telecommunications are provided by Time Warner Cable. Water and sewer services are provided by the City of Banning Public Works. Storm water management is administered by the Riverside County Flood Control District and City of Banning Public Works Department. The proposed Project would interconnect to these surrounding utilities through improvements to on-site gas, electric, telecommunications, water, sewer, and storm drain facilities that would include relocation and expansion of select segments of these utility facilities and also by transferring overhead electrical circuits underground as needed. Figure 4 shows the Tentative Parcel Map of the site with existing utilities.

IV. REQUIRED DISCRETIONARY APPROVALS

The legislative and discretionary actions to be considered by the City as part of the proposed Project include:

- Approval of Tentative Parcel Map No. 38256 (TPM 21-4002): To consolidate the 94.86-acre development site into three parcels for the proposed warehouse building, extra trailer parking, public street dedications and ancillary property;
- Approval of Design Review (No. DR 21-7015): For the proposed Site Plan as a 1,414,362 square-foot warehouse distribution building with employee/visitor and trailer parking;
- Certification of the Project EIR (ENV 21-1519): The City of Banning determined an EIR is required to analyze the potential environmental impacts of the proposed Project. The EIR will include mitigation measures, as appropriate, to reduce potential environmental impacts and will be prepared in accordance with CEQA. The City will consider certification of the EIR prior to taking action on the requested approvals. In conjunction with Certification of the EIR and approval of the proposed Project, the City will adopt a Mitigation Monitoring and Reporting Program (MMRP), which will ensure implementation of the measures and conditions of Project approval that were adopted to mitigate or avoid potentially significant effects on the environment;
- Adoption of Statement of Overriding Considerations: Pursuant to CEQA Guidelines Section 15093, the Banning City Council must balance the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the Project. If the benefits of the Project outweigh the unavoidable adverse environmental impacts, those impacts would be considered “acceptable;”
- Encroachment Permit: To excavate or otherwise encroach within the City of Banning’s public road ROW; and
- Any Other Discretionary Approvals: Additional discretionary actions may include, but not be limited to: Final Maps, Design Reviews, Tentative Parcel Maps, Grading Permits, and water and sewer system approvals.

V. POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

In accordance with CEQA Guidelines Section 15060, the City has determined that the Project would have significant effects on the environment, and an EIR is required to assess project-related impacts. As permitted under CEQA, the City has elected to begin work directly on the EIR in lieu of further initial review, bypassing the preparation of an Initial Study. The EIR will contain a detailed project description,

maps identifying the project's location and surrounding land uses, existing environmental setting, project-specific impacts, cumulative impacts, mitigation measures to reduce potential impacts to less than significant levels, mitigation monitoring plan, and an alternatives analysis. The EIR's environmental analysis will be based in part on technical studies being prepared for the proposed project, including (but not limited to):

- Air Quality Emissions Analysis;
- Biological Resources Assessment;
- Cultural Resources Assessment;
- Geotechnical Investigation;
- Paleontological Resources Assessment;
- Greenhouse Gas Emissions Analysis;
- Phase I Environmental Site Assessment;
- Phase II Environmental Site Assessment;
- Traffic Impact Analysis;
- Paleontological Resources Assessment;
- Noise Impact Analysis;
- Hydrology Study;
- Water Supply Assessment; and
- Water Quality Management Plan.

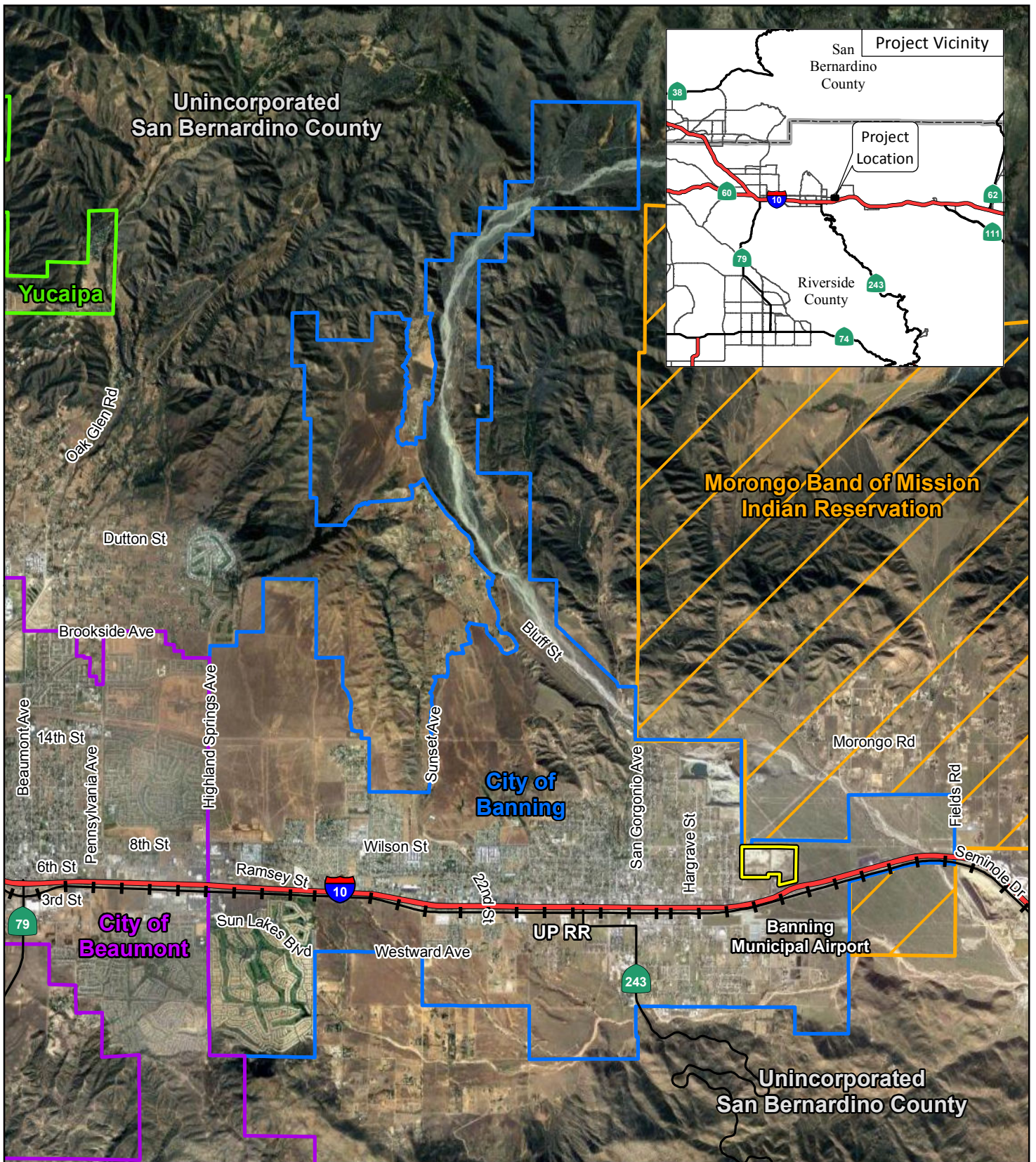
Because an Initial Study has not been prepared for the project, the EIR will address each of the environmental issues identified in Appendix G of the CEQA Guidelines.:

- Aesthetics;
- Agricultural and Forestry Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Energy;
- Geology/Soils;
- Greenhouse Gas Emissions;
- Hazards & Hazardous Materials;
- Hydrology/Water Quality;
- Land Use/Planning;
- Mineral Resources;
- Noise;
- Population/Housing;
- Public Services;
- Recreation;
- Transportation;
- Tribal Cultural Resources;
- Utilities/Service Systems; and
- Wildfire.

VI. FUTURE PUBLIC MEETINGS

The City of Banning Planning Commission and City Council will conduct public hearings on the proposed Project and EIR. Public notice will be provided in advance of these meetings as required by City Code and State law.

**** The City of Banning appreciates your conscientious attention to this Notice of Preparation ***



LSA

LEGEND

 Project Location

FIGURE 1



0 3350 6700
FEET

SOURCE: Google (2020)

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First Hathaway Logistics Project
Project Location and Vicinity

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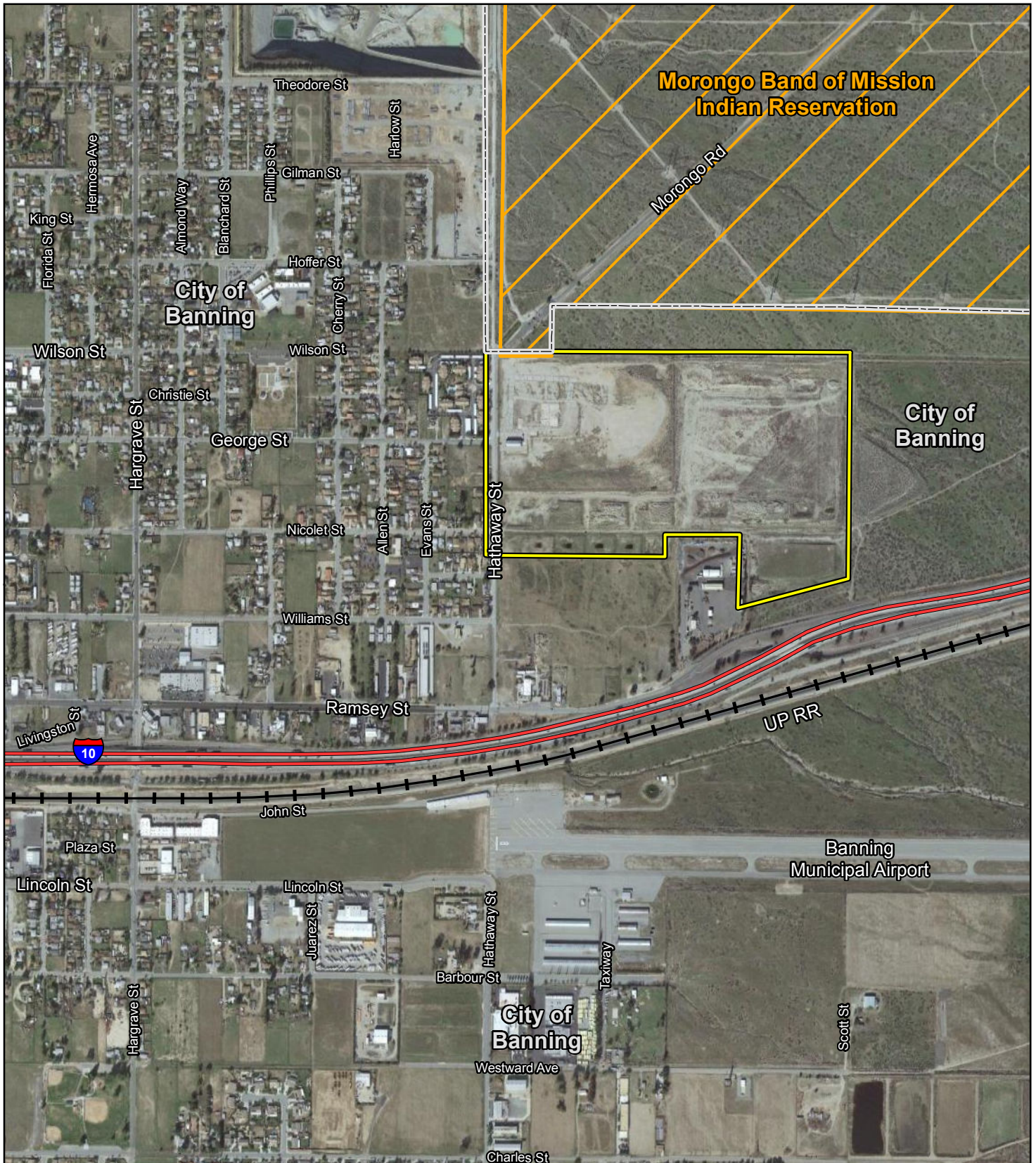



FIGURE 2

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 Project Location



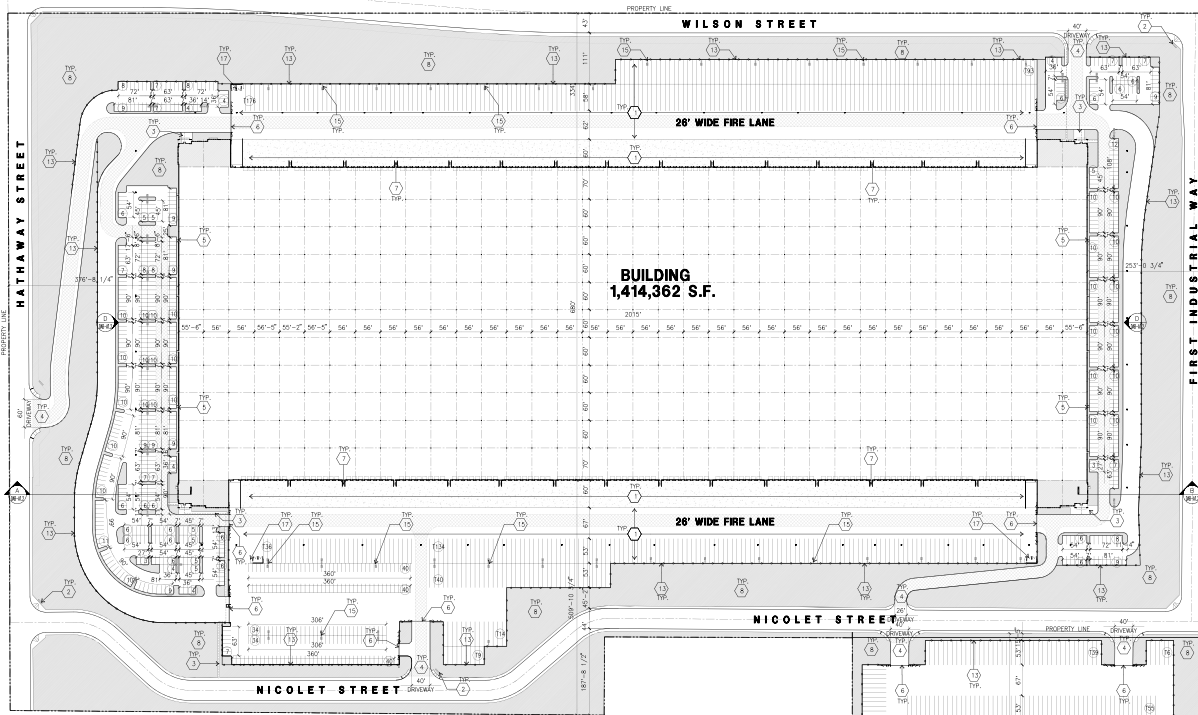
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SOURCE: UGoogle (2020)

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First Hathaway Logistics Project
Existing Setting

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SITE LEGEND

- LANDSCAPED AREA
- SITE PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING - SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 19')
- HANDICAP PARKING STALL (9' X 19')
- 26' FIRE LANE
- LIGHT STANDARD
- EXISTING PUBLIC FIRE HYDRANT
- PRIVATE FIRE HYDRANT - APPROXIMATE LOCATION
- PROPERTY LINE
- PATH OF TRAVEL

PROJECT DATA

SITE AREA	TRAILER		
	BUILDING	SITE 1	TOTAL
In s.f.	3,268,653	338,441	3,607,094 s.f.
In acres	75.04	7.77	82.81 ac
BUILDING AREA			
Footprint	1,397,362		1,397,362 s.f.
Office 1st Floor	17,000		17,000 s.f.
Office 2nd Floor	17,000		17,000 s.f.
Warehouse	1,380,362		1,380,362 s.f.
TOTAL	1,414,362		1,414,362 s.f.
COVERAGE	43.3%		39.2%
AUTO PARKING REQUIRED			
Office: 1/300 s.f.	113		113 stalls
Whse: 1-20K @ min. 2 stalls + 1/1,000 s.f.	22		22 stalls
Whse: above 20K @ 1/2,000 s.f.	680		680 stalls
TOTAL	816		816 stalls
AUTO PARKING PROVIDED			
Standard (9' x 19')	830		830 stalls
Note: Trailer stalls can be converted to auto stalls			
TRAILER PARKING REQUIRED			
1 per 4 dock doors	60		60 doors
TRAILER PARKING PROVIDED			
Trailer (10' x 53')	503	182	685 stalls
ZONING ORDINANCE FOR CITY			
Zoning Designation - Business Park			
MAXIMUM BUILDING HEIGHT ALLOWED			
Height - 50'. Additional height may be permitted with approval of a Condition Use Permit.			
MAXIMUM BUILDING COVERAGE			
FAR - 60			
SETBACKS			
Front - 10'			
Side - 0', street side 10'			
Rear - 0'			
LANDSCAPE REQUIREMENT (w/o Building Footprint)			
min. 15% net area of all parking area (247,261 s.f.)			541,064 s.f.
LANDSCAPE PROVIDED (w/o Building Footprint)			
Percentage			901,587 s.f.
Percentage			22.6%
HARDSCAPE PROVIDED (w/o Building Footprint)			
Percentage			1,308,145 s.f.
Percentage			36.2%

VICINITY MAP



LSA



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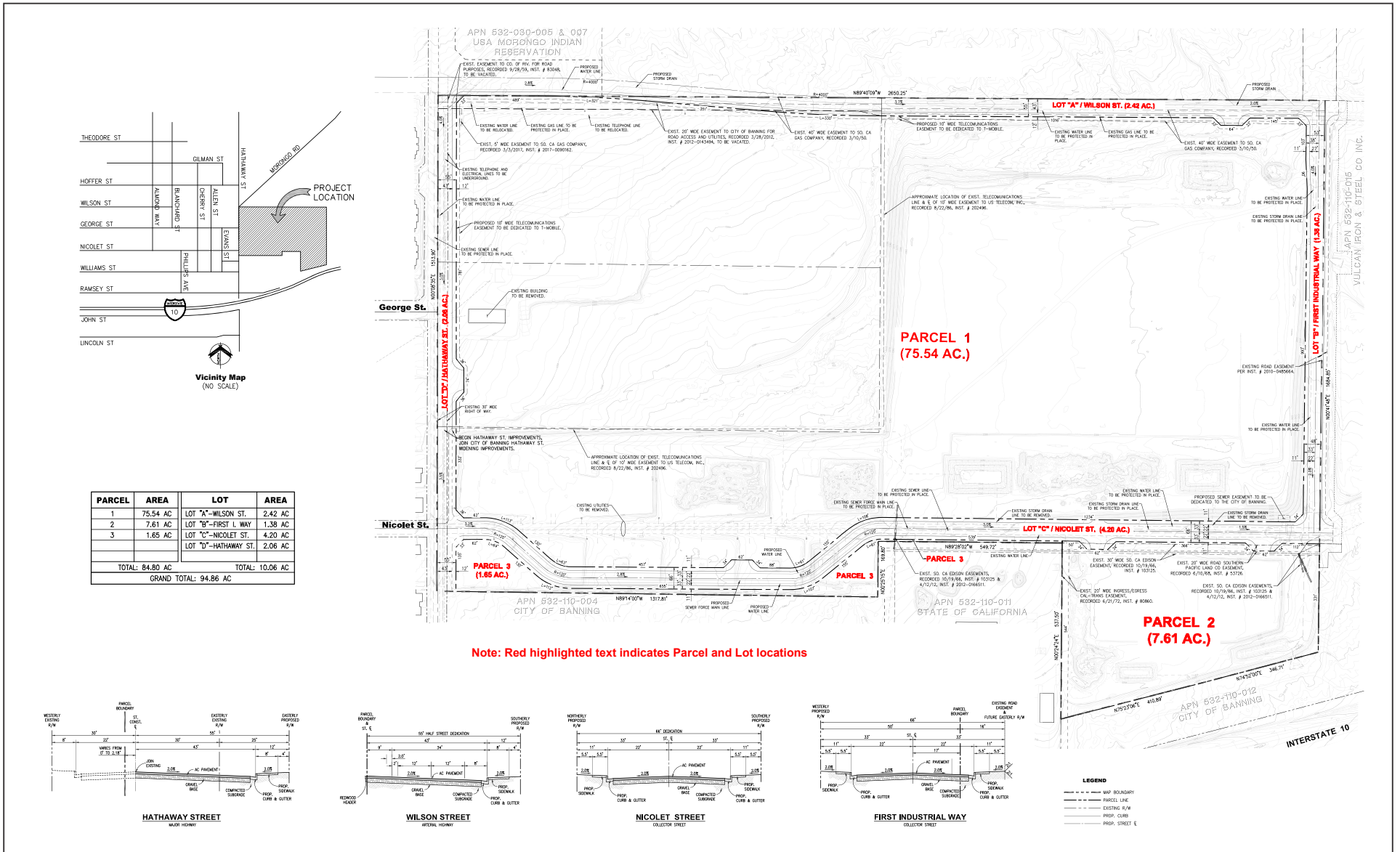
SOURCE: HPA Architecture

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FIGURE 3

First Hathaway Logistics Project
Conceptual Site Plan

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SOURCE: Stantec

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FIGURE 4

First Hathaway Logistics Project
Tentative Parcel Map No. 38256

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